

IN RE: PETITION FOR VARIANCE	* BEFORE THE
SW/Corner Miller and Woodland Avenues	
(Lots 12-19, 20-21, 29-35, 38-40 and 47-68 of Eastern Manor)	* DEPUTY ZONING COMMISSIONER
15th Election District	* OF BALTIMORE COUNTY
5th Councilmanic District	* Case No. 97-77-A
Daniel C. Bevans, et ux	*
Petitioners	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for the development of the subject lots in the Eastern Manor subdivision, which is located between Miller and Woodland Avenues, Leroy Street and Stevens Road, in Essex. The Petition was filed by the owners of the property, Daniel C. and Barbara A. Bevans, through their attorney, Michael P. Tanczyn, Esquire. The Petitioners seek relief from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of between 0 and 12 feet in lieu of the required 25 feet for Lots 12 - 19, zoned D.R. 16, and for Lots 20 - 68, zoned D.R. 5.5, and a side building face to public street right-of-way setback of between 5 feet and 15 feet in lieu of the required 15 feet for Lots 30 and 29/2, 31, 50, 51 and 68, and to determine that the current large tract setbacks apply for the proposed development of the subject property with 30 single family dwelling units. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Daniel Bevans, owner of the property, Herbert Malmud, Registered Land Surveyor, who prepared the site plan for this project, Simon Rosenberg, Developer of the subject property, and Michael P. Tanczyn, Esquire, attorney for the

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Date 10/5/96

By [Signature]

MICROFILMED

Petitioners. Appearing as Protestants in the matter were Philip Edwards, with the Bowleys Quarters Improvement Association, David R. Cahlander and Earl R. Holcomb with the Stevens Road Improvement Association, and Byron E. Livingston, all of whom are nearby residents of the area.

Testimony and evidence offered revealed that the subject property is part of a large tract of land which was approved in 1947 for a residential subdivision consisting of 68 single family lots. Over the years, several of the lots have been developed with single family homes. In fact, the Petitioners have resided at 3227 George Street, which is located on Lots 44, 45 and 46, for the past 18 years. The Petitioners had an opportunity to purchase the remaining unimproved lots in December 1994 and now seek to develop the remaining developable lots in accordance with Petitioner's Exhibit 1. Due to the close proximity of this property near Frog Mortar Creek, many of the lots in this subdivision are undevelopable by virtue of the environmental constraints associated with this property. As shown on the site plan, there are forest buffers and a 100-year flood plain existing on the property and thus, development in several areas is severely restricted. What is developable is depicted on Petitioner's Exhibit 1. Those areas outlined in green are not intended for development and the Petitioner wishes to preserve those areas as open space in their natural vegetative state. The variances requested by the Petitioners are necessary in order to develop the property in consideration of its sensitive environment. That is, the Petitioners propose to develop the lots with setbacks of between 0 and 12 feet along the various roads that exist in the community of Eastern Manor. Doing so will preserve the rear portions of the affected lots as open space or naturally forested areas, as outlined in green on Petitioner's Exhibit 1.

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DATE 10/15/96
BY [Signature]

Also proposed is a neo-traditional concept of housing, wherein the houses will be set back from the street right-of-way a distance of from 0 to 12 feet. This concept has gained popularity in other jurisdictions in and around Maryland and northern Virginia. Mr. Sy Rosenberg testified that he is familiar with other types of neo-traditional housing which have been successful in other areas. He believes the subject site is a prime candidate for this type of housing.

Furthermore, due to the property's location in the Chesapeake Bay Critical Areas, the Petitioners propose to pave only 18 feet of the 50-foot wide roadways in this neighborhood. Minimizing the amount of paving in this development will lessen the amount of impervious surface in this community. Furthermore, smaller streets will allow the houses to be situated closer to their property lines and allow for smaller front yards.

The Petitioners further testified that the Department of Environmental Protection and Resource Management (DEPRM) supports this neo-traditional housing concept in that it will preserve and maintain much of the vegetation on the property. Furthermore, the Petitioners are preserving a large greenway area adjacent to Stevens Road and will actually perform road closings for Leroy Street and George Street so that those roads will never be extended through the subject property to connect with Stevens Road.

Mr. Rosenberg further testified that the proposed houses in this development will range in price from \$130,000 to \$150,000 and that no more than half of those houses will have 0-foot front setbacks. The other half of these houses will have a front setback of somewhere between 0 and 12 feet. Further testimony was that they will build no more than 30 homes in this subdivision, given the environmental constraints imposed upon them.

As noted above, several residents from the surrounding community appeared as Protestants themselves and as representatives for some of the neighborhood associations. These individuals appeared in opposition to the request initially because they were unaware of the type and number of homes proposed for this property. Not having full knowledge of what was being proposed for the subject site, these residents took a position of opposition and were unable to offer the view of their association given their limited knowledge of this project. However, testimony demonstrated that there is a tremendous concern among these individuals as to the volume of traffic which currently utilizes Eastern Avenue in this area of Baltimore County. These residents are concerned over the additional traffic which may be generated by the proposed 30 homes. As a result of discussions at the hearing between the Developer and the Protestants, it was agreed that Mr. Bevans and Mr. Rosenberg would meet with the community associations after this hearing to resolve any differences they may have concerning the proposed development and to discuss the project in greater detail.

Based upon the testimony and evidence presented at the hearing, I am persuaded to grant the relief requested. The variances are generated out of concern for the environmental sensitivity of the subject property and will allow the proposed houses to be built in locations where natural vegetation and trees can remain. Furthermore, these variances will foster less impervious surface to be used in the development of this property.

In the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare

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11/15/96
J. S. [Signature]

of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and

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Date

By

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3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of October, 1996 that the Petition for Variance seeking relief from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of between 0 and 12 feet in lieu of the required 25 feet for Lots 12 - 19, zoned D.R. 16, and for Lots 20 - 68, zoned D.R. 5.5, and a side building face to public street right-of-way setback of between 5 feet and 15 feet in lieu of the required 15 feet for Lots 30 and 29/2, 31, 50, 51 and 68, and to determine that the current large tract setbacks apply for the proposed development of the subject property with 30 single family dwelling units, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order

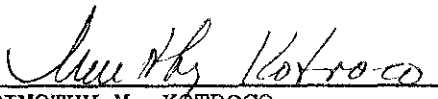
ORDER RECEIVED FOR FILING
Date 11/5/96
gpp

has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Developer has outlined in green on Petitioner's Exhibit 1 a number of environmentally sensitive areas. The Developer is prohibited from removing any of the trees or vegetation that exists within those green areas. Furthermore, the Developer shall be required to flag and/or post those areas that are not to be disturbed during the construction phase of this development.

3) Compliance with the Zoning Plans Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management, dated September 5, 1996, and the Office of Planning, dated September 10, 1996.

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

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Date

10/15/96

By



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

September 5, 1996

FROM: Robert A. Wirth *RAW/gg*
DEPRM

SUBJECT: Zoning Item #76 - Eastern Manor
Zoning Advisory Committee Meeting of August 26, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

This Department supports the requested variance as granting it would allow for design flexibility to avoid or minimize impacts to streams, wetlands, water quality and forest.

RAW:GS:sp

c: Daniel & Barbara Bevins
EASTERN/DEPRM/TXTSBP

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: September 10, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: Eastern Manor

INFORMATION:

Item Number: 76

Petitioner: Daniel C. Bevans

Property Size:

Zoning: DR-16 and DR-5.5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided and analysis conducted, this office offers the following comment:

The site, which is known as Eastern Manor, is located in the critical area (LDA) on a tract of land situated south of Eastern Avenue, next to the Bengies Drive-in Theater. Several lots within the development subject to this request are improved with single family homes.

On June 25, 1996, Mr. Malmud, of H. Malmud & Associates, Inc. met with staff to discuss the development potential of the subject property. He indicated a neo-traditional design should be considered due to site's environmental constraints. A neo-traditional approach might include design elements such as 18' wide roads and front yard setbacks of 0-12 feet, for example.

As a result of the June meeting and subsequent follow-up conversations, an understanding was reached based on several agreed upon conditions (see Mr. Malmud's letter attached).

The Office of Planning supports the applicant's request subject to the attached agreement and the following additional recommended conditions:

That non-buildable lots be excluded from the variance request.

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Date

By

MICROFILMED

TO: Arnold Jablon, Director, PDM
FROM: Arnold F. "Pat" Keller, III, Director, OP

- That no more than half of the buildable lots will have a zero foot setback from the street right-of-way line.
- That the same setback as the adjacent house will be provided on Lot 30.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

AFK:JL

Attachment

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Date 10/15/96
By Pop

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Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 15, 1996

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Suite 106
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
SW/Corner Miller and Woodland Avenues
(Lots 12-19, 20-21, 29-35, 38-40 and 47-68 of Eastern Manor)
15th Election District - 5th Councilmanic District
Daniel C. Bevans, et ux - Petitioners
Case No. 97-77-A

Dear Mr. Tanczyn:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Daniel C. Bevans
3227 George Street, Baltimore, Md. 21220

Mr. Herbert Malmud, 100 Church Lane, Baltimore, Md. 21208
Mr. Simon Rosenberg, 12116 Arbie Road, Silver Spring, Md. 20904

Mr. Philip Edwards, 1016 Susquehanna Avenue, Baltimore, Md. 21220
Mr. David R. Cahlander, 218 Stevens Road, Baltimore, Md. 21220
Mr. Byron E. Livingston, 109 Hughes Shore Road, Baltimore, Md. 21220
Mr. Earl R. Holcomb, 206 Stevens Road, Baltimore, Md. 21220

People's Counsel; Case File

(MICROFILMED)

CRITICAL #76



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Eastern Manor

97-77-A

which is presently zoned DR 16; DR 5.5
Lots 12-19 DR 16 / Lots 20-21, 29-35, 38-40, 47-68 - DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

For Lots 12-19 - a front yard setback of between 0' and 12' in lieu of the required 25' in a

For Lots 20-68 as enumerated above - a front yard setback of between 0' and 12' in lieu of the required 25' ~~and 1 off street parking space in lieu of the required 2 off street parking spaces for all the above lots~~ ***

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Hardship and practical difficulty that will involve sensitivity to environmental concerns for adjacent wetlands, minimizing deforestation, and in seeking closure of several private subdivision streets to minimize paving and limit access

Amended
Shaping this
request
TMC

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

*** Section 1.B.01.2.C.1.B for a setback from the side building face to public street right of way of between 5' to 15' in lieu of the required 15' ~~for lots 30 & 2 1/2, 31, 50, 51 & 68.~~ and determine that the current large tract setbacks apply. H.M.

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee.

Legal Owner(s):

(Type or Print Name)

DANIEL C. BEVANS
(Type or Print Name)

Signature

Daniel C. Bevans
Signature

Address

BARBARA A. BEVANS
(Type or Print Name)

City State Zipcode

Barbara A. Bevans
Signature

Attorney for Petitioner

3227 George Street

MICHAEL P. TANCZYN, ESQ.
(Type or Print Name)

Baltimore, MD 21220

682-3714
Phone No

Michael P. Tanczyn
Signature

City State Zipcode
Name, Address and phone number of representative to be contacted

606 Baltimore Avenue, Suite 106
Address Phone No.

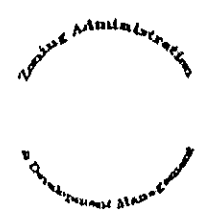
Herb Malmud
Name

Towson, MD 21204 296-8823
City State Zipcode

100 Church Lane
Baltimore, MD 21208
Address Phone No.

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Date 10/15/96
By [Signature]

Printed with Soybean Ink
on Recycled Paper



MICROFILMED

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING 2-3 hr
unavailable for Hearing
the following dates _____ Next Two Months
ALL _____ OTHER _____
REVIEWED BY: *mtc* DATE 8/15/96

H. MALMUD & ASSOCIATES, INC.
100 CHURCH LANE
BALTIMORE, MARYLAND 21208

TELEPHONE (410) 653-9511

ZONING DESCRIPTION OF 29 & 1/2 LOTS IN THE SUBDIVISION OF
EASTERN MANOR
RECORDED IN BALTIMORE COUNTY PLAT BOOK #22, FOLIO 14
BALTIMORE COUNTY, MARYLAND

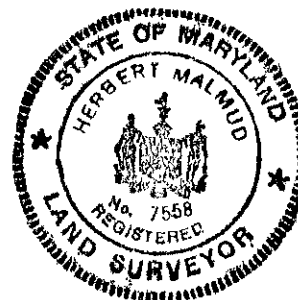
BEING KNOWN AND DESIGNATED AS LOTS NUMBERED 12, 13, 14, 15, 16,
17, 18, 19, 20, 21, THE EAST ONE-HALF OF LOT 29, 30, 31, 32, 33, 34, 35, 38, 39,
40, 41, 42, 43, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63,
64, 65, 66, 67 AND 68 AS SHOWN ON THE SAID PLAT OF EASTERN MANOR
RECORDED IN SAID LAND RECORDS IN PLAT BOOK 14, FOLIO 22.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR
THE CONVEYANCE OF TITLE.

HERBERT MALMUD
REGISTERED LAND SURVEYOR
MARYLAND # 7558

APRIL 10, 1996

FILE: DESEASMN



MICROFILMED

CASE NUMBER: 97-77-A (Item 76)

Eastern Manor

SWC Miller and Woodland Avenue

15th Election District - 5th Councilmanic

Legal Owner(s): Daniel C. Bevans and Barbara A. Bevans

Variance for Lots 12-19 - a front yard setback of between zero feet and 12 feet in lieu of the required 25 feet; for Lots 20 - 68 - a front yard setback of between zero feet and 12 feet in lieu of the required 25 feet and 1 off-street parking space in lieu of the required 2 off-street parking spaces for all of the above lots; a setback from the side building face to public street right of way and of between 5 feet and 15 feet in lieu of the required 15 feet for Lots 30, 29/2, 31, 50, 51, and 68 and determine that the current large tract setbacks apply.

HEARING: MONDAY, SEPTEMBER 30, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

Post by: 9/15/96 Herb Malmud & Associates

653-9511

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

97-77-A

District 15 Date of Posting 9/15/96

Posted for: SEPT 30, 1996 HEARING

Petitioner: DANIEL & BARBARA BEVANS

Location of property: EASTERN MANOR @ 3227 GEORGE ST.

Location of Sign: GEORGE STREET, ~~MILLER AVE~~ ~~1500 ST~~
@ WOODLAND DRIVE @ ~~1500~~ GEORGE STREET

Remarks: _____

Posted by: Patricia M O'Keefe Date of return: _____
Signature

Number of Signs: 1

MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-77-A
(Item 76)
Eastern Manor
SWC Miller and Woodland Avenue
15th Election District
5th Councilmanic
Legal Owner(s):
Daniel C. Bevans and Barbara A. Bevans

Variance: for Lots 12-19 - a front yard setback of between zero feet and 12 feet in lieu of the required 25 feet; for Lots 20 - 68 - a front yard setback of between zero feet and 12 feet in lieu of the required 25 feet and 1 off-street parking space in lieu of the required 2 off-street parking spaces for all of the above lots; a setback from the side building face to public street right of way and of between 5 feet and 16 feet in lieu of the required 16 feet for Lots 30, 29/2, 31, 50, 51, and 68 and determine that the current large tract setbacks apply.

Hearing: Monday, September 30, 1996 at 11:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For Information concerning the File and/or Hearing, Please Call 887-3391.

9/30/96 Sept. 6

078766

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Sept. 6, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 5, 1996.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 024758

DATE 9-15-96

ACCOUNT 01-615

Index 76

By *max*

AMOUNT \$ 685.00

RECEIVED FROM: H. Wallick & Assoc, Inc. - Eastern Manor Sub

070 - multi-lot res var. - \$ 650.00

020 - 1 sign - \$ 35.00

\$ 685.00

FOR:

**MAX. FEE - RV +
SIGN**

03A91H0102MICHRC

\$685.00

PA 0010-04AM00-15-96

VALIDATION OR SIGNATURE OF CASHIER

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 76 Petitioner: Daniel C. Bevans

Location: Eastern Manor (Miller Ave, George & Leroy Streets)

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Michael Tanczyn, Esq.

ADDRESS: 606 Baltimore Ave, Suite 106
Towson, MD 21204

PHONE NUMBER: 296-8823

TO: PUTUXENT PUBLISHING COMPANY

September 5, 1996 Issue - Jeffersonian

Please forward billing to:

Michael Tanczyn, Esq.
606 Baltimore Avenue, Suite 106
Towson, MD 21204
296-8823

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-77-A (Item 76)
Eastern Manor
SWC Miller and Woodland Avenue
15th Election District - 5th Councilmanic
Legal Owner(s): Daniel C. Bevans and Barbara A. Bevans

Variance for Lots 12-19 - a front yard setback of between zero feet and 12 feet in lieu of the required 25 feet; for Lots 20 - 68 - a front yard setback of between zero feet and 12 feet in lieu of the required 25 feet and 1 off-street parking space in lieu of the required 2 off-street parking spaces for all of the above lots; a setback from the side building face to public street right of way and of between 5 feet and 15 feet in lieu of the required 15 feet for Lots 30, 29/2, 31, 50, 51, and 68 and determine that the current large tract setbacks apply.

HEARING: MONDAY, SEPTEMBER 30, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 29, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-77-A (Item 76)

Eastern Manor

SWC Miller and Woodland Avenue

15th Election District - 5th Councilmanic

Legal Owner(s): Daniel C. Bevans and Barbara A. Bevans

Variance for Lots 12-19 - a front yard setback of between zero feet and 12 feet in lieu of the required 25 feet; for Lots 20 - 68 - a front yard setback of between zero feet and 12 feet in lieu of the required 25 feet and 1 off-street parking space in lieu of the required 2 off-street parking spaces for all of the above lots; a setback from the side building face to public street right of way and of between 5 feet and 15 feet in lieu of the required 15 feet for Lots 30, 29/2, 31, 50, 51, and 68 and determine that the current large tract setbacks apply.

HEARING: MONDAY, SEPTEMBER 30, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Daniel and Barbar Bevans
Herb Malmud
Michael P. Tanczyn, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 23, 1996

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Suite 106
Towson, MD 21204

RE: Item No.: 76
Case No.: 97-77-A
Petitioner: Daniel Bevans, et ux

Dear Mr. Tanczyn:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 15, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

(MICROFILMED)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: September 10, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: Eastern Manor

INFORMATION:

Item Number: 76

Petitioner: Daniel C. Bevans

Property Size: _____

Zoning: DR-16 and DR-5.5

Requested Action: Variance

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided and analysis conducted, this office offers the following comment:

The site, which is known as Eastern Manor, is located in the critical area (LDA) on a tract of land situated south of Eastern Avenue, next to the Bengies Drive-in Theater. Several lots within the development subject to this request are improved with single family homes.

On June 25, 1996, Mr. Malmud, of H. Malmud & Associates, Inc. met with staff to discuss the development potential of the subject property. He indicated a neo-traditional design should be considered due to site's environmental constraints. A neo-traditional approach might include design elements such as 18' wide roads and front yard setbacks of 0-12 feet, for example.

As a result of the June meeting and subsequent follow-up conversations, an understanding was reached based on several agreed upon conditions (see Mr. Malmud's letter attached).

The Office of Planning supports the applicant's request subject to the attached agreement and the following additional recommended conditions:

- That non-buildable lots be excluded from the variance request.

10/10/96

TO: Arnold Jablon, Director, PDM
FROM: Arnold F. "Pat" Miller, III, Director, OP

- That no more than half of the buildable lots will have a zero foot setback from the street right-of-way line.
- That the same setback as the adjacent house will be provided on Lot 30.

Prepared by: Jeffrey W. Long
Division Chief: Gary L. Reno

AFK:JL

Attachment

MICROFILMED

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: August 30, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for September 3, 1996
 Item No. 076

 The Development Plans Review Division has reviewed the subject
zoning item.

 The issue of on-street parking shall clearly be addressed.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
September 5, 1996

FROM: Robert A. Wirth *RAW/gp*
DEPRM

SUBJECT: Zoning Item #76 - Eastern Manor
Zoning Advisory Committee Meeting of August 26, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

This Department supports the requested variance as granting it would allow for design flexibility to avoid or minimize impacts to streams, wetlands, water quality and forest.

RAW:GS:sp

c: Daniel & Barbara Bevins
EASTERN/DEPRM/TXTSBP

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 08/27/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 26, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 59, 70, 72, 73, 74, 75, 76, 77,
78, 79 AND 80.

2

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

8-30-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 076 (MTK)


Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

97-77A

NAME

ADDRESS

Michael TANCZYK

STE 106 606 BALTIMORE Ave Towson 21204

HERBERT MALMUD

H. MALMUD & ASSO INC.

100 CHURCH LANE PRESVILLE 21208

Simon Rosenberg

Si Rosenberg & Assoc

12116 Anhe Rd. Sil. Spg. Md 20904

DAN BEVANS

3227 GEORGET BALTIMORE MD 21220

MICROFILM

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

PHILIP EDWARDS - BQIA

1016 SUSQUEHANNA AVE

DAVID R CAYLANDER S.R.I.A.

218 STEVENS RD (21220)

STEVENS FOOD IMP ASSOC.

Byron E Livingston

109 Hughes Shore Rd 21220

EARL R HOLCOMB

286 STEVENS RD. 21220

STEVENS RL IMP. ASSOC.



MICROFILMED

H. MALMUD & ASSOCIATES, INC.
100 CHURCH LANE
BALTIMORE, MARYLAND 21208

TELEPHONE (410) 653-9511

JULY 27, 1996

MS. LYNN LANHAM
DEVELOPMENT REVIEW SECTION
BALTIMORE COUNTY OFFICE OF PLANNING
TOWSON, MARYLAND 21204

RE: EASTERN MANOR SUBDIVISION

ATTORNEY'S
FBI 5

DEAR MS. LANHAM:

AS PER THE MEETING IN YOUR OFFICE ON JUNE 25, 1996 THIS IS TO
SUMMARIZE THE ISSUES DISCUSSED AND RESOLVED ON THE REFERENCED PROJECT:

1. A MINIMUM DISTANCE OF 15 FEET IS ACCEPTABLE AS USEABLE REAR YARD.
2. THE PROPOSED STREET WILL HAVE AN 18 FOOT OPEN SECTION WITHOUT
SIDEWALKS.
3. EACH DWELLING UNIT WILL HAVE THREE PARKING SPACES.
4. NOT MORE THAN HALF OF THE LOTS WILL BE REQUESTED TO HAVE A ZERO
SETBACK FROM THE STREET RIGHT OF WAY LINE.
5. NON-PORCH UNITS AND GARAGES WILL HAVE A MINIMUM SETBACK OF 5
FEET FROM THE STREET RIGHT OF WAY LINE.
6. NEW HOMES THAT ARE NEXT TO EXISTING HOUSES WILL HAVE AN
AVERAGE SETBACK BETWEEN THE EXISTING HOUSE AND THE ADJACENT PROPOSED
DWELLING.
7. STREET CORNER LOTS WILL HAVE A REQUESTED SETBACK BETWEEN FIVE
AND 15 FEET.
8. LOT 29/2 - 30 WILL HAVE THE SAME SETBACK AS THE EXISTING ADJACENT
HOUSE.
9. UPON APPROVAL OF THE ZONING VARIANCE, ROAD CLOSING PROCEDURE
WILL BE INITIATED.

ON BEHALF OF ALL OF US INVOLVED ON THIS PROJECT I WOULD LIKE TO
THANK YOU FOR YOUR HELP, ADVICE AND SUPPORT.

SINCERELY,

HERBERT MALMUD

MICROFILMED

trying to create a village feeling throughout the community."

Indeed, the sense is that of a friendly village as groups of townhouses and condominiums, also referred to as gardenhomes, are tucked cozily among hundreds of trees and bushes.

The landscape plan employed in Woodland Village is so unusual that Chateau Builders won the 1995 Project of the Year award presented by the Land Development Council of the Homebuilders Association of Maryland.

The entire community is swaddled in green, with plantings of red maple, white ash, pin oak, evergreens, flowering bushes and perennials.

With the most recent plants installed in the final phase of the village, the price tag on the landscaping reached \$1 million.

Azrael considers it money well spent.

"The in- [See Village, 21]

Inland beach: Amy Ranalli and her son, Alex, 2, play in the sand near a swing set in the Howard County planned community of Woodland Village.

Woodland Village

Population: 1,800

Commuting time to Washington: 20 minutes

Commuting time to Washington: 40 minutes

Public schools: Washington Elementary, Mayfield Woods Middle, Howard County

Nearest mall: The Mall at Columbia

ZIP code: 21045

Average price of a home: \$142,000 (townhouse)

\$79,000 (condominium)



MICROFILMED

COMMISSIONER

ZONING

FOR THE

This is how important it is to Americans to own their own home, according to the latest Fannie Mae survey. ■ Ninety-one percent would drive a cheaper car if that made the difference between being able to own and renting, up from 81 percent in 1992. ■ Eighty-one percent would commute a longer distance to work if it changed prices farther out made ownership possible, up from 65 percent four years ago. ■ Sixty-seven percent would put off retirement for 10 years, up from 53 percent in 1992. ■ Americans have an even stronger desire for home ownership today than we found in 1992," said James A. Johnson, chairman and chief executive officer of Fannie Mae, in releasing the 1996 survey results. The survey, in March 1997, people were interviewed nationwide in April, and released in an annual report conducted by Fannie Mae since 1992. Fannie Mae is a member of the National Mortgage Association, purchases mortgages made by lenders, and in

91% would drive a cheaper car in order to buy a home, Fannie Mae survey, 1,857 interviewed, many say the process has gotten harder

By DANIEL H. BARKIN

SUN STAFF

Howard builder creates a 'village'

Neighborhood Profile

\$1 million invested in lush landscaping enhances community

Howard, developed a very unique and plan for this project, said Azrael, whose firm was the ninth most active builder by sales of new homes last year in Howard.

Artist's rendering shows how the development have houses fronting a greenway with the remains of the power and temporary building at left.



Old is new

ends in one of the development's early, near the town center.

BARBARA HADDOCK TAYLOR: SUN STAFF

Desire
to own
is very

Home Prices... Mortgage Rates... Dream Home... Nation's Housing... 1991

REARVIEW MIRROR

16, 1996

THE SUN

SUNDAY



Over to Eldersburg as like a rebirth, and parents say

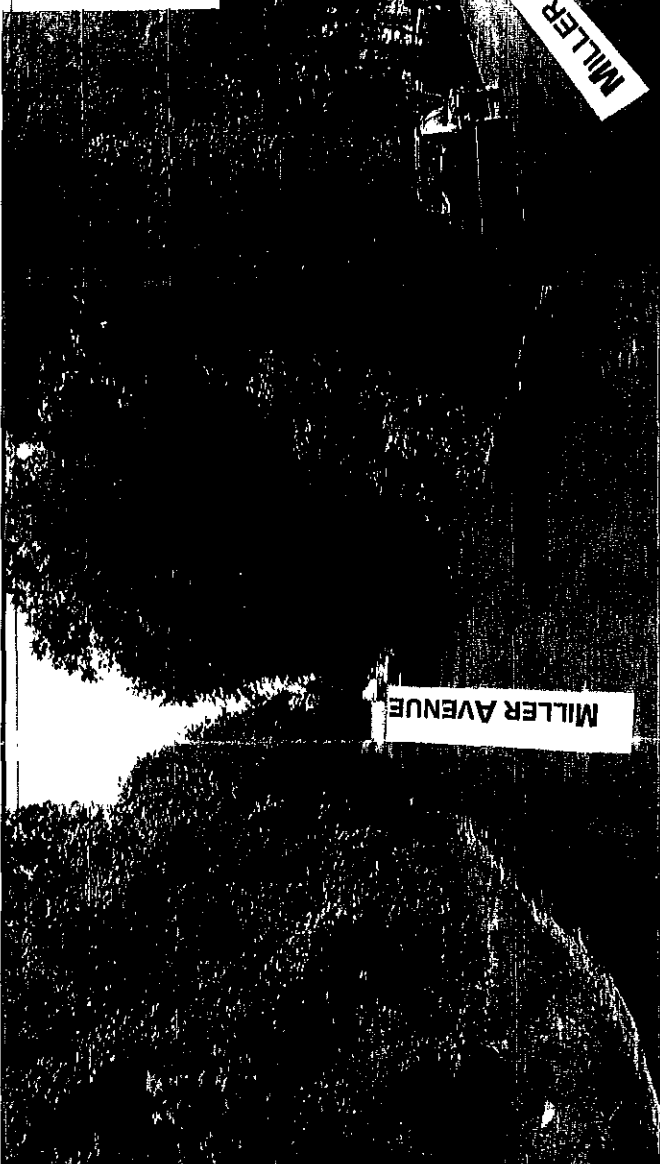
Blanche and Sam Capriolo moved into a larger house after their children are grown, and now they have plenty of room for the grandchildren to stay over. A family-oriented neighborhood makes them feel younger, Blanche Capriolo says. Comparing life in Eldersburg to the move to Co.

1. Rates 4.
2. Sales 7.
3. Mailbag 5.

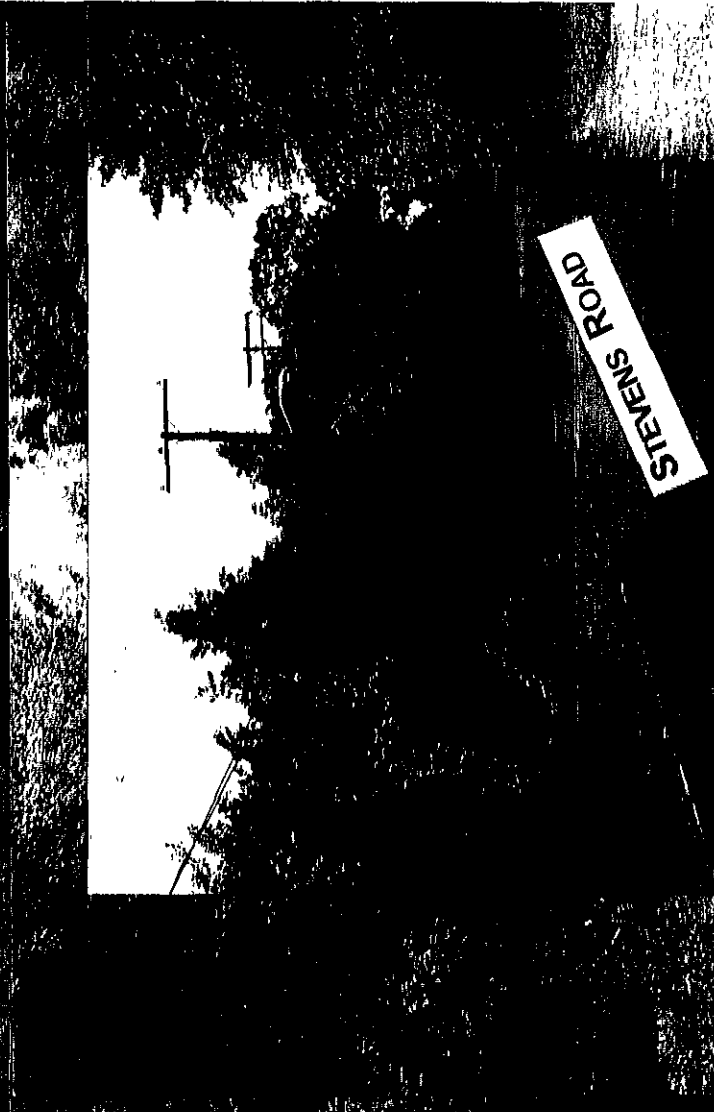
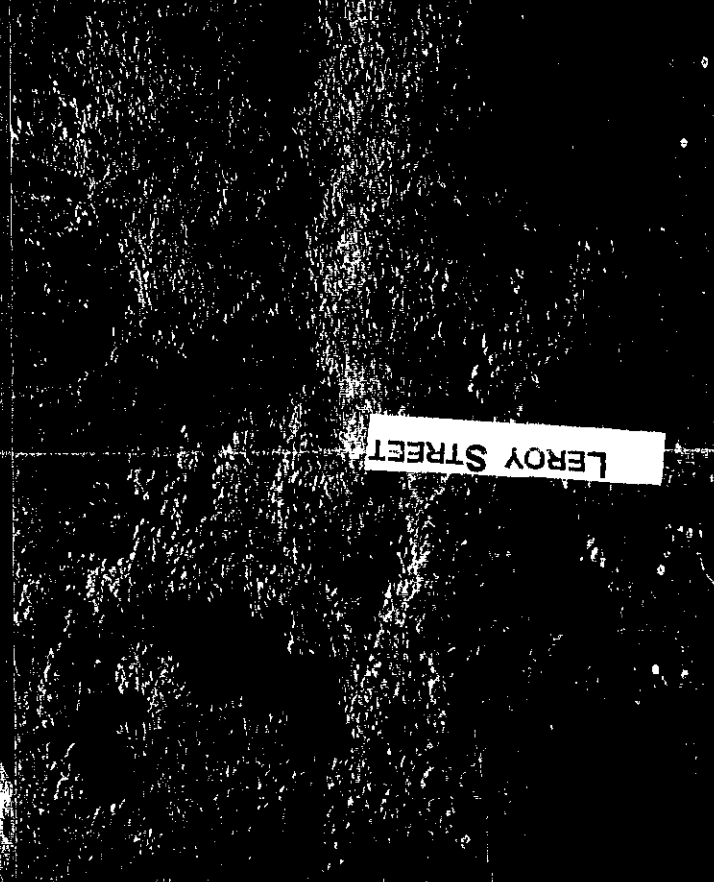
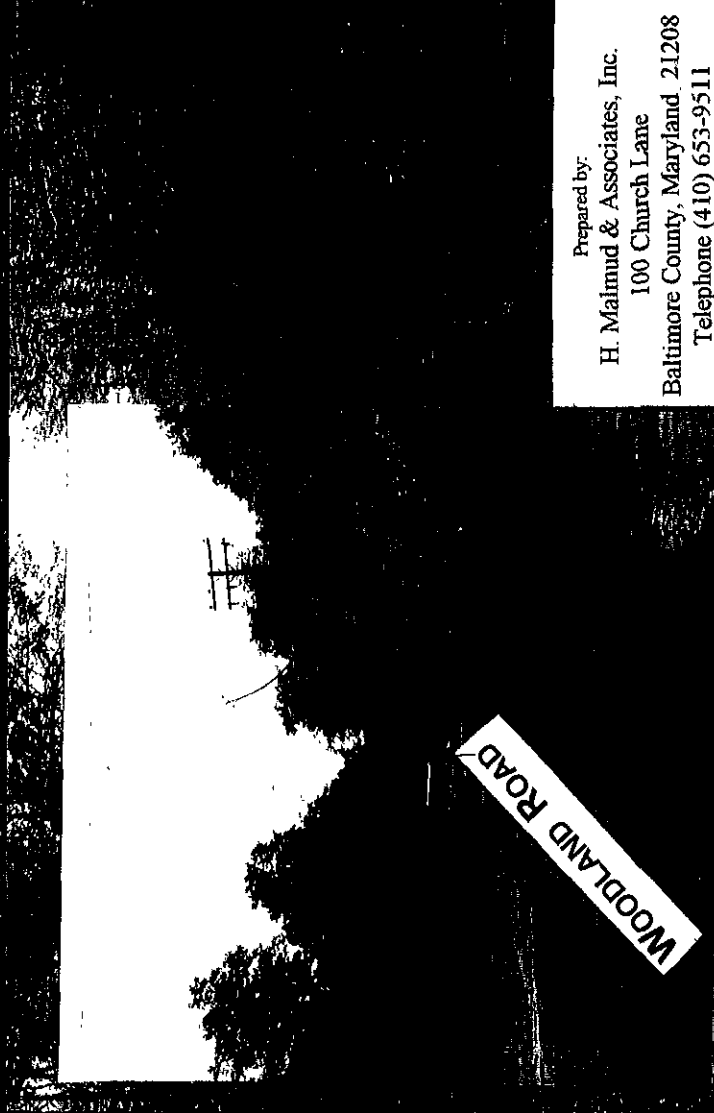
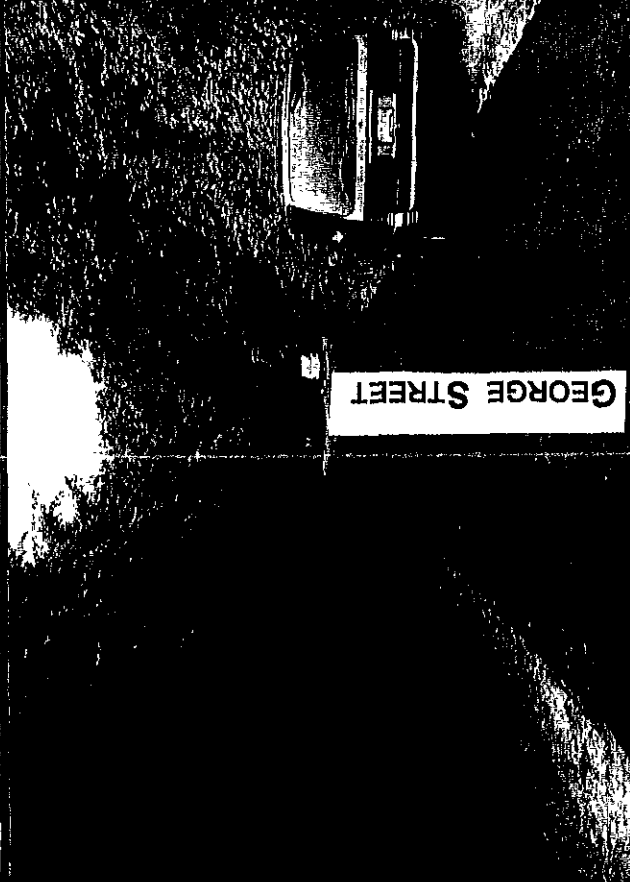
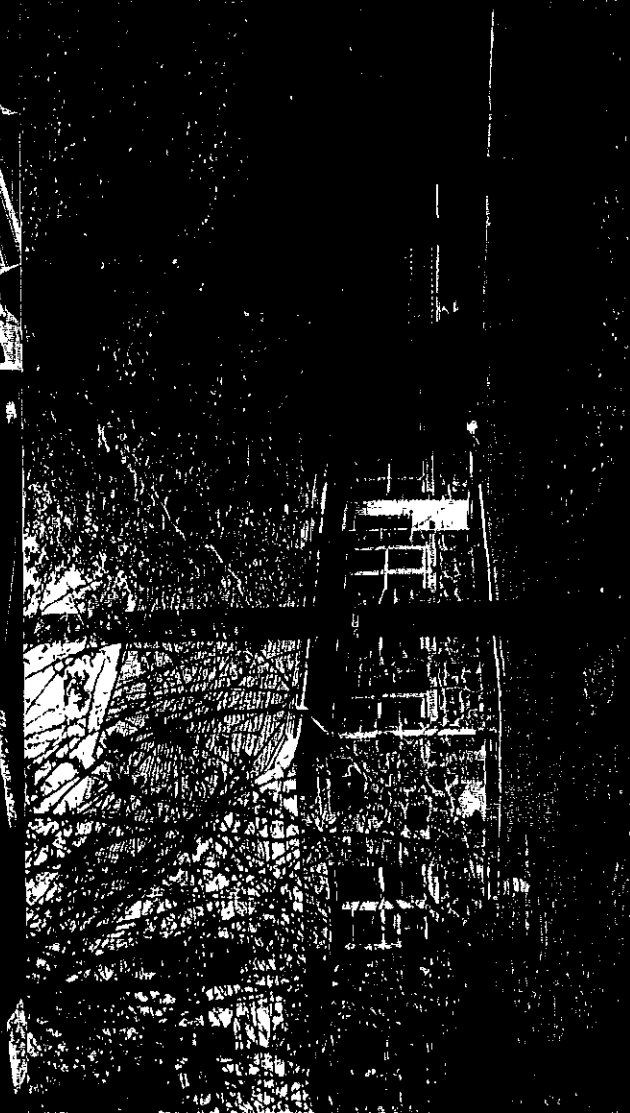


6-Year

Date of Photos May 6, 1996



MICROFILMED
EASTERN MANOR SUBDIVISION
VARIANCE REQUEST
SITE PHOTOS - EXISTING CONDITIONS
BALTIMORE COUNTY, MARYLAND



Prepared by:
H. Malmud & Associates, Inc.
100 Church Lane
Baltimore County, Maryland 21208
Telephone (410) 653-9511

Page 10

PETITIONER'S
EXHIBIT 2

Designs that differ

Suburban vs. neotraditional

No sidewalks

Trees in yards

Deen front yards

Garage Forward

Sidewalks

Trees along street

val/nw vants narches

Garantas on allows

CONSUMER REPORTS MAY 1996

15 Ways to Fix the Suburbs

Most of us actually know what we want in a neighborhood—we just don't know how to get it, because developers have been building the wrong thing for 50 years. Here's how to get our communities back on track.

A black and white photograph of a large, multi-story building with a prominent porch and columns, likely a government or institutional structure. The building is surrounded by trees and a paved area. A person is visible walking on the path in the foreground.

[illegible]

EXHIBIT 4
EXHIBIT 4

Manhunt: The FBI's
New War on Hate Groups

May 15, 1995 : \$2.95

Bye-Bye, Suburban Dream



#BXBCNDGXXCAR-RT-SURT 0009
#0001938419550013#FB98 NI-0
JANENE MALMUD 009161
8815 HEARDEN HGTS RD POC6690
RANDALLSTEIN ND 21133-4005

15 WAYS TO FIX THE SUBURBS

MICROFILMED

15 Ways to Fix the Suburbs

Most of us actually know what we want in a neighborhood—we just don't know how to get it, because developers have been building the wrong thing for 50 years. Here's how to get our communities back on track.



JOHN HUMBLE

Moving day at Kentlands, the neotraditional suburb in Maryland where houses are close to the street and to each other

FOR DECADES, ANTON NELESSON OF RUTGERS University has been using the tools of science to pursue that most elusive and subjective quality, happiness. When a developer comes into a community, humbly seeking permission to re-create ancient Pompeii on the site of an old Go Kart track, the town's planners commission Neleson to survey the populace and determine if that's what they'd actually like there. Using photographs, models and questionnaires, Neleson has surveyed people all over the country, and these are some of the things he's found:

- "Everybody will call for a green open space in the middle—that's automatic. They will put the major community buildings around the plaza, then group the houses on relatively narrow streets. Ninety-nine percent don't want streets that are more than

two lanes wide. At the edges of the village they leave open space."

- "With two working spouses, [smaller lots] make a lot more sense. You don't want to mow that big lawn."

- "People have a fundamental, psychological, spiritual response to nature. If you show them recently built multi-family housing or office parks, they go negative. A small, traditional neighborhood is what people want. They don't know how to get it."

Well, of course they don't: most of them haven't even seen a "small, traditional neighborhood" in years, if ever. But they instinctively choose it anyway. The premise of the new urbanism is that people can have the kinds of neighborhoods they say they like. Architects know how to design them, developers can build them, banks can make money on them. All it takes is a measure of political will to overcome the inertia of 50 years of doing things the wrong way . . . and the application of a few simple rules. ■

GIVE UP BIG LAWNS

1 ONE USEFUL WAY TO DEFINE A SUBURB is "a place that grows lawns." The great postwar disillusionment began for many Americans when they left the city in search of a simpler life and discovered that watering, fertilizing, weeding and mowing the measliest yard takes more time over a year than the average New Yorker spends looking for parking. And the expanses of front lawn themselves serve no purpose but their owners' vanity—except that most suburban communities require them, on the theory that large setbacks help preserve the bucolic character of a community.

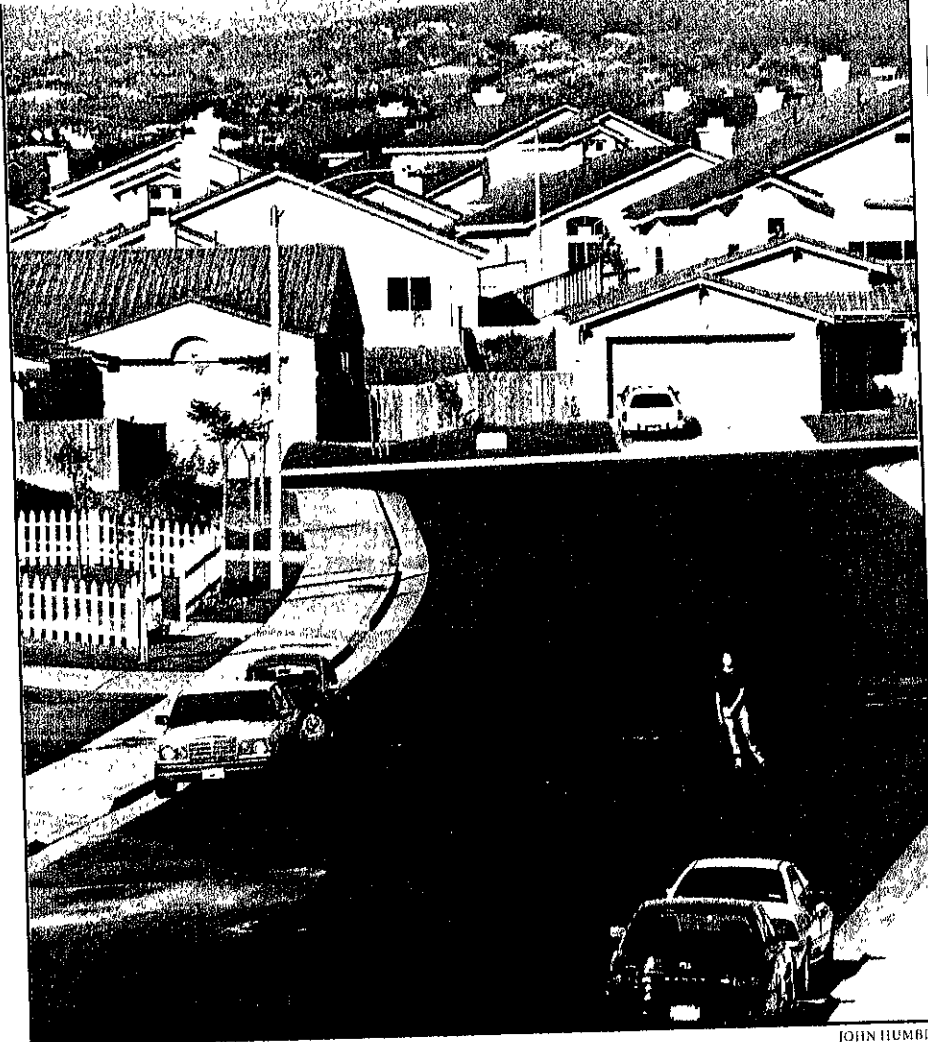
That may have been true in the 1920s, when suburbs were being settled 30 houses at a time. But when highways opened up huge areas of countryside after the war, large-lot zoning had the opposite effect: by spreading population over a larger area, it accelerated sprawl. If zoning boards weren't so fearful of "density," they could require developers to cluster houses and set aside land nearby for open space and recreation. This is also a more efficient way to build a community. Houses that are 100 feet apart, obviously, have 100 feet of unused road and utility lines between them. School buses have that much farther to travel.

And the goal of making a walkable community is defeated when houses are spread out on huge lots. Even the depth of the front yard turns out to make a crucial psychological difference. When houses are set back behind 30 feet of lawn, the streetscape becomes oppressively desolate; your perspective changes so slowly you don't feel you're reaching a destination. Probably no single change would improve the quality of suburban life as much as shrinking the size of lots—and it would actually make houses cheaper.

BRING BACK THE CORNER STORE

2 THE SUBURBAN CONDITION, SAYS architect Peter Calthorpe, "is a landscape of absolute segregation . . . not just in terms of income, age or ethnicity, but simple functional uses." This is so obvious that most people no longer see the absurdity of making a five-mile round trip for a loaf of bread. That is, as long as they have a car; for anyone not so blessed—children, the elderly or handicapped, people who can't afford a car for every member of the family—it's nuts.

Again, this is a function of good intentions undone by the explosion of suburbia. What worked in a compact neighborhood in a city—a dry cleaner, a drugstore, a corner grocery—became grotesque when blown up a hundredfold and applied to whole counties. Shopping strips stretched for dozens of miles along the



This wide street in Temecula, Calif., is fine for cars but not for kids and other pedestrians

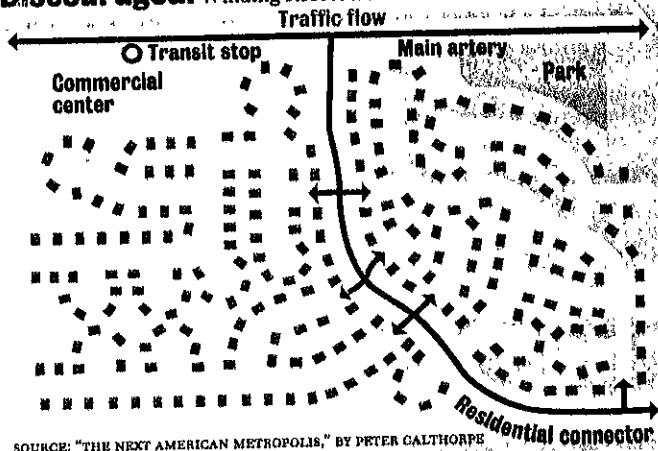
MAKE THE STREETS SKINNY

3 Modern subdivisions are designed to be driven, not walked. Even little-used streets are 36 feet or 40 feet wide, with big sweeping curves at the corners. It's great for cars: traffic barely needs to slow down. But for those on foot, the distance is daunting. Narrow streets—as little as 26 feet wide—and tight, right-angled corners are a lot easier for walkers, and probably safer as well, because they force drivers to slow down. One objection: fire departments worry about getting trucks through. But that hasn't been a big problem in old naves in cities like New York and Boston.

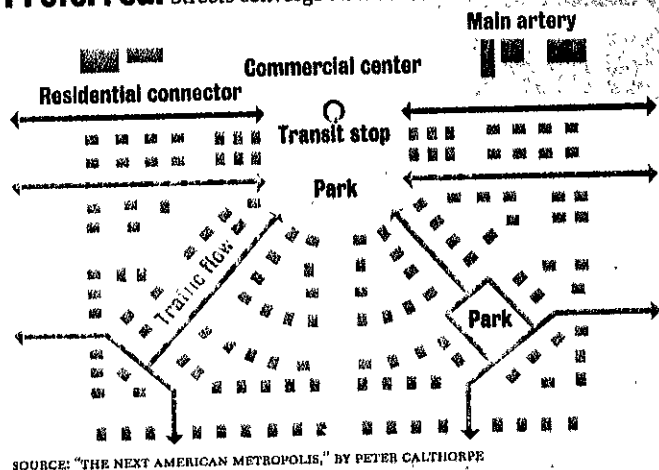
highways, while the curving streets of suburbia wormed their way ever deeper into the countryside.

Obviously, malls and supermarkets, with their vast selections and economies of scale, will never be supplanted by neighborhood shopping streets and corner groceries. But it still should be possible to provide some of the necessities of life within walking distance of many people. Then you could send your kid out for that bread—and a newspaper while he's at it.

Discouraged: Winding streets and cul-de-sacs exacerbate traffic.



Preferred: Streets converge on transit and commercial center.



DROP THE CUL-DE-SAC

4 The cul-de-sac, a fancy term for “dead end,” has emerged as the street plan of choice for modern suburbs. Its great advantage—the elimination of through traffic—is also its weakness, because it compels everyone in a given subdivision to use the same few roads, often at the same times. Anyone attempting to travel on foot or by bicycle will eventually wind up on the shoulder of a busy highway—and probably give up. But streets don’t have to be like that: they can follow predictable routes and interconnect. This gives motorists a choice of routes, so they don’t all pile up every morning waiting to make a left turn at the same intersection.

DRAW BOUNDARIES

5 IN AN ABSOLUTE SENSE, THERE IS NO REAL SHORTAGE OF land in the United States; if the entire population lived on an acre of land per household, it would occupy less than 5 percent of the contiguous 48 states (plus all of Canada and Mexico for parking). But in the regions where Americans actually want to live, they are swarming into the countryside, covering whole counties with “edge cities” flung outward from the beltways as if by centrifugal force. New York City’s suburbs reach across the whole state of New Jersey into eastern Pennsylvania, nearly 100 miles from Times Square. To new-urbanist theoreticians, this is the disastrous result of shortsighted government policies, such as the bias in the federal mortgage-guarantee program toward detached houses on large plots of land. To free-market economists, it represents the sum of millions of choices by informed individuals who have decided that, on balance, getting up before dawn in Bucks County beats a full night’s sleep in Brooklyn.

But sprawl is not a necessary component of affluence. In Europe and Japan, governments have proclaimed “urban-growth boundaries,” beyond which development is more or less prohibited. Even in a democratic country such as Holland, a businessman seeking to live on a farm and drive into the city to work would have to request permission from the government—and he might not get it. Try telling that to Lee Iacocca. Contrary to popular American political theory, these regulations haven’t noticeably affected the prosperity of Western Europe—nor of the one major American city that has instituted its own urban-growth boundary: Portland, Ore.

In Oregon, naturally, no one would prevent the hypothetical businessman from living on a farm; he just couldn’t sell it off for a subdivision when he retired to Palm Springs. More than 20 years ago, planners for the Portland metropolitan area drew a line around 325 square miles—covering 24 municipalities and parts of three counties—and designated it to receive virtually all population growth. Along the way they have reduced the average lot size for detached houses from 13,000 square feet to an average of 8,500 square feet—roughly the difference between putting three and five units on an acre. The proposed future goal is an even mingier 6,600 square feet. Between now and the year 2040, Portland’s planners expect the population to grow some 77 percent, but they are committed to an increase of residential land use of only 6 percent. Instead of planting more “edge cities” at the arbitrary points where freeways intersect, Portland has concentrated job growth in its downtown. The urban-growth boundary has been so successful that even a conservative property-rights group, Oregonians in Action, endorses the concept (although it argues with some details). Imagine how Los Angeles would look today if it had done this 20 years ago.



JAMES D. WILSON—NEWSWEEK
Leading new urbanist

Nothing irks Peter Calthorpe more than “naysayers who say that Americans don’t want to live in high-density cities—they want suburbs, as though there were only two choices!” According to the San Francisco architect, “The answer is to understand there are a huge number of people with different lifestyles. There are different densities in new urbanism, some low, some high. Neighborhoods that have diversity—cafés, recreation, casual social encounters—will be increasingly important. Suburbs aren’t just about bedrooms anymore.”

HIDE THE GARAGE

6 Most suburban houses give the appearance that they are first of all places to park, turning to the world the blank and desolate face of a garage door. Neighborhoods look more pleasant when garages are put behind the houses, accessible by side yards or by alleys.



JOHN HUMBLE

Multicar garages turn an unwelcoming face to the street

MIX HOUSING TYPES

7 OF ALL THE WAYS TO IMPROVE THE SOCIAL AND PHYSICAL organization of the suburbs, none would be as subversive as breaking the monopoly of single-family detached homes: that endless alternation of "Crestwoods" and "Auroras" intended to foster the illusion of preference in buyers' choosing between four bedrooms and three bedrooms plus a den. Homogeneity is the very essence of the suburbs. Attached houses, rental units, shops or businesses—anything that might attract traffic and its attendant evil, a decline in property values—are banned.

This is a fairly new phenomenon in human history. For most of the last 9,000 years, most people inhabited villages, where by definition nothing was very far from anything else. As late as the 1940s, for that matter, Memphis, Tenn., developer Henry Turley grew up in the kind of haphazard city neighborhood that is the despair of sensible planners: a jumble of stores, shacks, flats, walk-ups and decaying mansions, all suffused with the vivid street life neighbors made for themselves in the era before air conditioning lured them indoors. It is, of course, beyond the power of zoning to bring back those days, even if we wanted them back, but it may be possible to recapture some of the energy and spirit that characterized American civic life before television clamped its monopoly on public discourse and entertainment. So in 1987, when Turley bought a 135-acre vacant plot on an island in the Mississippi five minutes from downtown Memphis, he embarked on a radically different kind of development, which began not by asking "What

will the county let me build?" or "What will the banks finance?" but "What kind of place do people want to live in?"

The result was Harbor Town, intended to be "a slice of the world—the more complete and varied the better." There are houses ranging in price from \$114,000 to \$425,000, which contrasts with a typical subdivision in Phoenix, Ariz., for example, where the seven basic models run the gamut from \$271,990 to \$316,990. There are town houses and apartments, and shops being planned. Developers had tried mixing housing types in the "planned communities" of the 1970s, but in those each use was isolated in its own thousand-acre quadrant; in Harbor Town they are all within a few blocks of each other. Turley seems to have decreed that instead of golf, the leading recreational activity would be chatting with neighbors while watching the sun set over the river, so he set the houses close together and built cozy village squares. The houses themselves are an eye-popping collection of styles, including Charlestown provincial, Cape Cod and Bauhaus modern, but they have an underlying unity based on materials (mostly clapboard or wood siding) and the ubiquitous new-urbanist amenity, porches. Turley expects to make money on the project, when it's completed in 1997, but he also has a higher aim. "Democracy assumes—demands—that we know, understand and respect our fellow citizens," he says. "How can we appreciate them if we never see them?"

PLANT TREES CURBSIDE

8 Nothing humanizes a street more than a row of trees shading the sidewalk. But they must be broad-leafed shade trees such as sycamores or chestnuts, not the dinky globular things like flowering pears that developers favor in parking lots. And they should be planted out at the curbline, where they will grow out to form a canopy over the roadway. Why don't more places have such an obvious amenity already? Because traffic engineers worry that people might drive into them.



DIANE COOK FOR ENR

Strolling under a canopy of spring blossoms

PUT NEW LIFE INTO OLD MALLS

9 THEY'VE GOT FOUNTAINS, HANGING ferns and ice rinks, and if you stay in one long enough you may eventually hear "Wichita Lineman" rescored for 140 violins, but most shopping malls are, essentially, just vast sheds that consumers trudge through until, with nothing left to spend, they are spit out into the parking lot. No wonder people are so quick to desert them when a bigger one opens up down the road. Ghost malls are no longer a rare sight in America. Phoenix has at least two, including one right across the street from several of its largest office buildings. But the land they occupy can, with some ingenuity and a lot of money, become the nucleus of a real neighborhood, an architectural adornment rather than a hulking blight.

The process is happening first with strip shopping centers, which are usually older than enclosed malls and less complex architecturally. The first step is to transcend the definition of a "shopping center" as a grouping of unrelated stores in the middle of a parking lot. That pretty much described the New Seabury Shopping Center, a dreary 1960s-era strip mall on a busy highway in Cape Cod, Mass., about 70 miles from Boston. A decade ago, the owners decided to redevelop it on a radically different scheme, modeled on a New England town. New streets were laid out in what had been the parking lot; new shops were built in the neglected area behind the existing ones. A 25-year development plan was drawn up, envisioning a substantial community; offices, a library, a church and a senior-citizens' home have already been built.

Parking was redistributed along the curbs of the new internal streets. This makes for some congestion and inefficiency, but lessens the frustration of trudging down long aisles of parked cars toward a distant mall entrance. Developer Douglas Storrs says that shoppers find the strength to walk as much as half a mile down the sidewalks of what is now called Mashpee Commons, passing shop windows, benches and planters. The same people reach the threshold of exasperation when they have to park more than 400 feet from the door to an ordinary mall.

There are other examples, including Mizner Park, in Boca Raton, Fla., where a failing shopping center was replaced with a 28-acre mixed-use development organized around a new public park. To be sure, not all developers will be this ambitious with their properties. But as a first step, hiding the ugly collection of dumpsters and loading docks on the backsides of strip malls could eliminate a lot of suburban blight.



DIANE COOK/LPN JENSHIFL

In Portland, Ore., these commuters are choosing to ride the rails

PLAN FOR MASS TRANSIT

10 Is there any way to get Americans out of their cars and into buses and trains? In Los Angeles, not even an earthquake sufficed; only about 2 percent of drivers switched to mass transit after their freeways fell down last year, and most of them went right back to driving as soon as the roads were patched up.

The problem is that transit seems to need a critical mass to work, and many metropolitan areas (Los Angeles among them) are just too spread out. Many commuters seem to think that if you have to drive to the train station anyway, you might as well just keep going to the office.

Hence Calthorpe's idea for the "pedestrian pocket": a relatively dense settlement within a quarter-mile walk of a transit stop. In Portland, Ore., they're building the transit line *first*—putting stops literally in the middle of empty fields—in the expectation that the development will follow.

LINK WORK TO HOME

11 SUBURBS ARE NO LONGER JUST BEDROOM communities; the dispersal of employment out of the central cities has been going on for a generation. (As the writer William H. Whyte demonstrated two decades ago, big corporations leaving the city tend to relocate within a few miles of the chief executive's house.) But the result—the oxymoronic “office parks” consisting of indistinguishable glass cubes amid a token fuzz of grass and a giant parking lot—is just a higher class of sprawl than the gas stations and fried-chicken places that would have been built there instead.

If companies don't want to be downtown, they should at least attempt to integrate their offices—or factories, for that matter—into communities. Nobody wants to live next to a steel mill, naturally. But in Laguna West, outside Sacramento, people are happy to live within a quarter-mile of an Apple Computer plant, which provides 1,200 white-collar and assembly-line jobs. Apple agreed to locate there after the community was already planned; developer Phil Angelides says the company liked the idea that executives and workers could afford to live in the same community. Playa Vista, a new-urbanist community being planned for Los Angeles, has been mentioned as a possible home for the DreamWorks SKG multimedia company. It could be an updated—and very upscale—version of the company town, which in this case will comprise 13,000 houses and apartments, shops, a park, promenades and jogging trails along the last tidal marsh in the city.

Calthorpe believes that more businesses will move to new-urbanist projects as they grow disillusioned with the traffic and isolation of their office parks. “The idea is not necessarily to live in



FREDERICK CHARLES

A different approach

Mixing income levels in a neighborhood is a new-urbanist credo, and nobody does that better than planner Oscar Newman. His scattered-site low-income housing for Yonkers, N.Y., is a model of its kind. But Newman is no fan of the new urbanists. “Instead of saying, ‘This is what’s wrong [with suburbs],’ they should ask, ‘Why do people feel it’s worth it to live there?’”

the same development you work in,” he says; “there are a lot of criteria for where you choose your house. But if people can walk to a park, to midday shopping, restaurants and day care, it’s better for the people working there.”

SHRINK PARKING LOTS

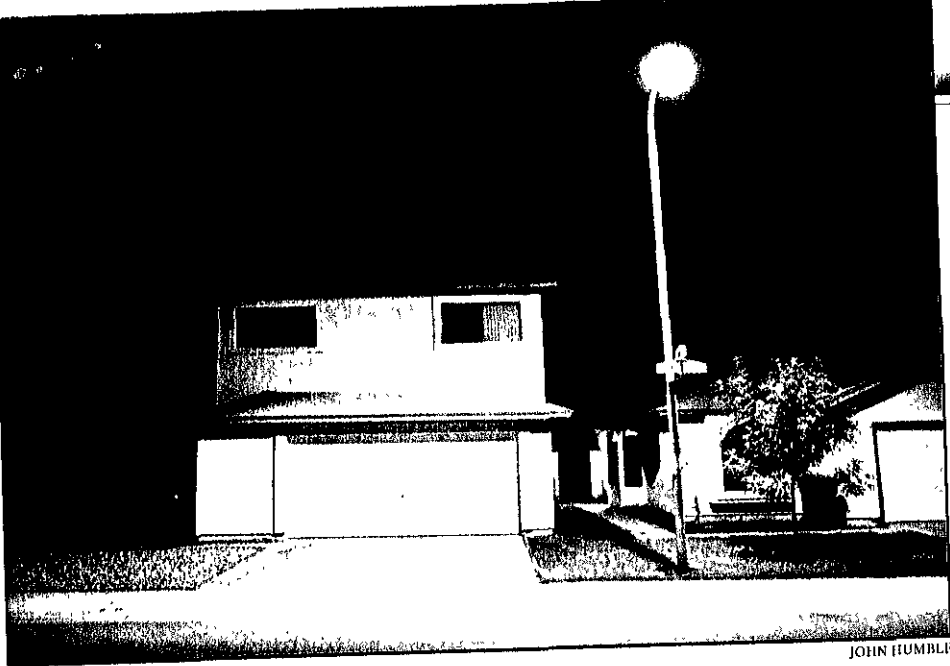
13 PARKING IS ONE OF SUBURBIA'S HIGHEST achievements. Only in the United States does the humblest copy-shop or pizzeria boast as much space for cars as the average city hall. But it is also a curse; the vast acreage given over to asphalt is useless for any other purpose, and goes unused more than half the time anyway. Most planners regard parking as a prerequisite for economic growth, like water. But downtown Portland, Ore., which strictly regulates parking, has been thriving with essentially the same space for cars as it had 20 years ago. Developers often build more parking than they actually need; a half-empty lot is presumed to reassure prospective tenants that they'll never run out of space for their cars. Yet a bank, a movie theater and a church are all full at different times. One simple improvement towns can make is to look for ways to share and pool parking space among different users.

The ideal—although expensive—solution to the parking problem is for cars to vanish underground when they get where they're going. A shopping center surrounded by acres of striped asphalt, whether it's empty or full, might as well put up a moat against pedestrians. Large parking lots should be situated behind buildings whenever possible—something most suburban zoning codes don't currently allow—and divided by streets, sidewalks or structures into smaller segments of around three acres or less. On-street parking in residential neighborhoods is controversial. Some planners favor it, because it creates a “buffer” between pedestrians and traffic, but others consider it a danger to children running out between the cars.

MAKE A TOWN CENTER

12 Every town needs a center: a plaza, square or green that is a geographical reference point and a focus of civic life—even if that just means a place to push a stroller or throw a Frisbee. Shopping malls are a poor substitute; the area they serve is too diffuse, and in any case their civic function is incidental to their real purpose—making money. Developers often provide some parkland in their subdivisions, but it's usually on leftover parcels that wouldn't be built on anyway, by the edge of the highway or adjoining another subdivision.





JOHN HUMBLE

A garish street lamp in Maryvale, a neighborhood in Phoenix

TURN DOWN THE LIGHTS

14 It is probably true that illuminating a suburban street to the level of the infield at Comiskey Park reduces accidents, especially for people who leave their regular glasses at home and have to drive in sunglasses. For everyone else, though, towering, garish sodium-vapor street lamps intrude on the peacefulness of the night with the insistence of a stuck horn. Where safety is not a big issue, why not use several smaller lamps that cast a gentler glow and let you see the stars?

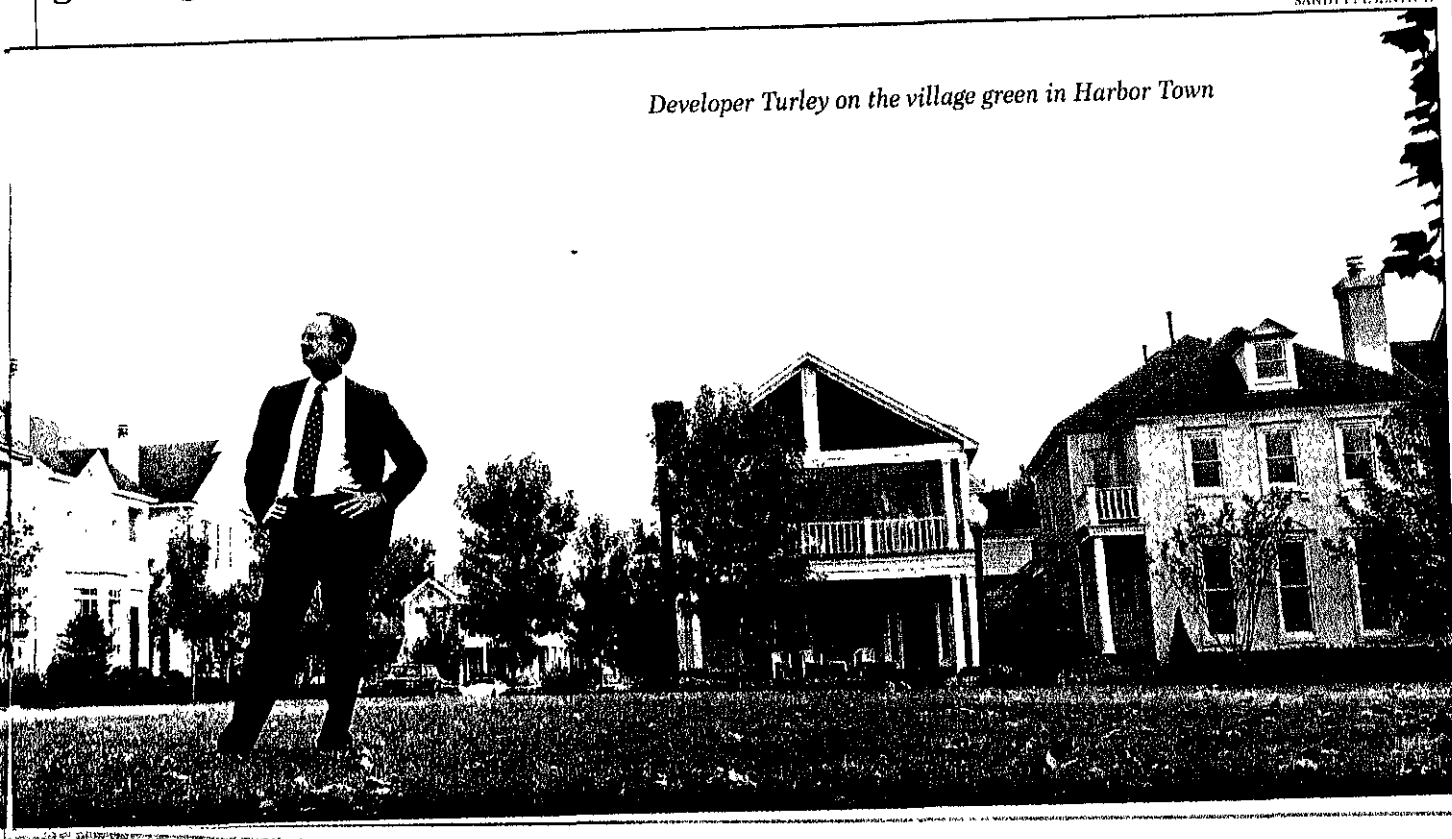
THINK GREEN

15 OUT BEYOND THE BELTWAY, where the roads are narrow and blacktop, past the point at which the dwindling traffic is too sparse to warrant plucking by even the mingiest motor court, there's a beautiful land. There are pale green corn plants poking through the brown soil, lakes glimpsed through trees, cholla cactus among the tumbled red rocks. It's not wilderness, but countryside, the unfinished canvas of America. It tells us where we are—in Illinois, Maine or Texas—and it locates us in time: summer, fall, winter, spring. There's nothing to buy there, nowhere to park; it doesn't lure us with golden arches or free coffee mugs with a fill-up. It's just there.

And by the same token, it isn't making anyone rich, yet. There is a gradient of value that runs from the city to the country, and it keeps moving outward; pick any spot and it's just a matter of time before it makes the magical transition from "countryside" to "real estate." The process seems inevitable, but it isn't, really. It's the product of concrete decisions made in an age when roads were still viewed as the harbingers of civilization rather than discount muffler outlets. And as surely as our society made those decisions, it can change them, before lawn meets lawn and asphalt meets asphalt, covering the land in a seamless carpet of sprawl.

SANDY EISENTHAL

Developer Turley on the village green in Harbor Town



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Neighborhoods reborn

After a half-century hiatus, environmental and traffic concerns are bringing back old-style neighborhoods.

IN SHORT

Neighborhoods with an old-style look and layout are being built once more.

Street grids, sidewalks, and hidden parking lots downplay cars and encourage walking.

Still unclear: Will new neighborhoods be affordable for all or a pricey "niche" option?

The millions of Americans who buy homes each year base their decision on a familiar list of choices—the commute to work, the number of bedrooms and baths, the quality of the schools. But they have surprisingly little choice in one important factor: the physical layout of the neighborhood.

Many people dream of buying a home on an old-fashioned tree-lined street with a few shops on the corner—a place where buying a quart of milk, picking up the kids, or eating out doesn't require a stressful drive down the local six-

lane arterial. But it's hard to find places like that these days. For a half-century, developers have maintained that tract houses with big front lawns in auto-oriented subdivisions are what Americans want. Moreover, local officials have often made it illegal to build new neighborhoods in the old style—even "tree-lined" may violate the code.

As a result, in many cities 1920s-style homes—in traditional neighborhoods—have become highly desirable, despite their

small closets and baths. "Ask yourself what neighborhood in your hometown people are willing to pay a premium to live in," says D.R. Bryan, a North Carolina builder. "It's probably a neighborhood built between 1890 and 1920."

Over the past decade, the persistent appeal of old neighborhoods has persuaded a small but influential group of designers and developers to advocate building old-style communities for a new era. These "neotraditional" places would look and work like the back streets of a comfortable pre-World War II city, with a rich mix of housing types, cultural centers, and shopping districts within walking distance, and a vibrant public personality. Such neighborhoods are being built in places as different in scale and location as downtown San Diego and rural North Carolina.

We visited several of these neotraditional developments and talked with leading proponents of the approach, as well as with developers, town planners, and residents. We also looked at the traditional neighborhoods that serve as the models. There aren't enough completed examples to tell whether these will be honest copies of old-style, mixed-income communities or just pricey boutique villages for the well-to-do. But we think this style of neighborhood is a choice that buyers ought to have.

We also learned that the forces discouraging such innovation remain embedded in the legal and financial apparatus that controls land development: thousands of local zoning codes, road standards, the requirements of national

retail chains, and the financial structure of the real-estate development industry. Change, if it does come, will depend largely on decisions that need to be made locally.

"We've been building great houses but lousy communities," says Peter Katz, director of the Congress for the New Urbanism, a national organization of neotraditional designers and developers. "I've never met anyone who has hated the idea" of neotraditionalism. "The only questions have had to do with implementing it."

To build better towns

The critics of suburban sprawl decry land-use designs that tear communities into far-flung fragments and make residents use a car to get anywhere. Instead, they offer this alternative vision:

- **Houses** occupy small lots clustered around pretty public spaces, such as parks or playgrounds.
- **Garages** retreat to the rear of the lot or an alley.
- **Street grids** replace isolated cul-de-sacs and the broader roads that connect them.
- **Shopping** takes place on intimate Main Streets, with stores lined up along the sidewalk and parking to the rear.
- **Walking** is encouraged by sidewalks, street trees, front porches, narrow roads that slow down cars, and—most important—commercial and recreational areas located a short walk from most houses.
- **Public transportation** is made possible by clustering neighborhoods and offices along lines that can readily be served by buses, trolleys, or light-rail lines.
- **Housing types** are varied in size and price, to facilitate the kind of mix of people found in a city. The mix also means that grown children won't have to move so far away to start a home,



and older people won't have to leave the neighborhood when they retire to a smaller home.

Miami architects Andres Duany and Elizabeth Plater-Zyberk, pioneers of neotraditionalism and its most prominent advocates, believe this vision offers not only a livable alternative to regular suburbia, but also a path away from our environmentally and financially costly dependence on the private auto.

"Americans need to be reacquainted with their small-town heritage," they have said. "[They] have to insist that the happiness of people finally takes precedence over the happiness of cars."

Where do the cars go?

As Duany and Plater-Zyberk point out, it is the handling of cars—not the addition of picket fences or front porches—that really distinguishes neotraditionalism from standard suburban design.

The movement's most radical proposal is to abandon the now-standard street hierarchy that dominates suburbia: Isolated residential loops or cul-de-sacs, which feed broad connector streets, which, in turn, feed busy multilane arterials. Instead, homes would line a grid of neighborhood streets. (See "Getting there," page 27.)

"What we have done with traffic... turns out to have been the worst possible thing," says Walter Kulash, an Orlando, Fla., traffic planner and convert to neotraditionalism. "By concentrating traffic on a few arterial streets and prohibiting it from other streets, we've made people hostage to ugly congestion for the six to nine trips the average household makes in a day. It affects the quality of life of everybody who has to do that kind of traveling."

Neotraditionalists also would repeal the long-standing suburban rule that every commercial building must come with on-site parking in the front yard. Instead, they would park cars on the street (to slow passing traffic and serve as a physical and psychological barrier between road and pedestrians); behind the stores (to eliminate the unsightly "strip" store developments laced through many towns, and to encourage people to walk from store to store); and in shared lots (where spaces could be used, say, by bank customers by day and restaurant patrons by night). One architect has

demonstrated that Main Streets served by shared parking garages require fewer than half as many parking spaces as the same stores in strip shopping malls.

All this sounds great to many city and county governments, which are desperately seeking ways to get out from under the financial burden of servicing sprawling suburbs with wide roads, big parking lots, and expensive police and fire protection. City planners also believe neotraditional design

offers a new way of halting or reversing decline in the inner city and in older suburbs. In some cities, they've rewritten their building codes to encourage neotraditional design instead of outlawing it.

The neotraditionalist argument is gaining ground among traffic planners as well. The Institute of Transportation Engineers is in the process of creating street standards for neotraditional communities. These guidelines will endorse a connected road network, allow streets

Designs that differ *Suburban vs. neotraditional*

One goal of neotraditional developers is to create suburban subdivisions that feel more like complete communities and look more like old-fashioned towns. Their methods include laying out grid-like street patterns, building various housing types, and incorporating central shopping areas.

They also design their streets to be public "rooms" that encourage walking and socializing. Some of the deliberate design differences can be seen if you compare the neotraditional development of Kentlands (bottom), in Gaithersburg, Md., with a conventional suburb less than a mile away.



No sidewalks
Sidewalks

Trees in yards
Trees along street

Deep front yards
Shallow yards, porches

Garages forward
Garages on alleys



Now showing *Main Street U.S.A.*

The new town of Celebration, Fla., now being built by the Disney Co. outside Orlando, is one of the most extensive demonstrations to date of neotraditional principles. Unlike several recent old-style subdivisions, which don't have all the amenities of complete communities, this one will have apartments, offices, and—most important—stores already in place when the first homes are completed this summer.



away, an old house with substandard plumbing and wiring is going for twice the price."

Looking ahead

How many places will eventually embrace neotraditionalism is still unclear. Overcoming the resistance of the retail and real-estate finance industries may require inventing entirely new ways of building and financing shopping districts.

Then there's the question of what home buyers want: Neotraditionalism may not be for everyone, any more than a Toyota will satisfy the needs of every car buyer. The market for suburban cul-de-sac neighborhoods remains strong. But researchers have found that many consumers do like traditional neighborhoods—or would, if offered the choice.

Anton Nelessen, a New Jersey planner, conducts innovative "visual preference surveys" in which he shows, side-by-side, slides of traditional and conventional city and suburban streets,

homes, apartments, and commercial districts. Audiences of ordinary citizens of all ages and walks of life overwhelmingly prefer the look of traditional communities.

And studies by real-estate economists of Baltimore, Dallas, and Oakland, Calif., show that when you strip away all the other factors known to influence home prices, buyers are willing to pay a steep premium for a home in a well-preserved traditional neighborhood.

That, in fact, is our biggest worry: that neotraditionalism will become an expensive "niche" product for upper-income homebuyers, maintaining the very socioeconomic uniformity that the movement's advocates are trying to undo. We think neotraditionalism is worth encouraging, even if all it ever does is put a prettier face on the suburbs. But in the long run we hope that these neighborhoods—and the lifestyle they make possible—once more are so common and affordable that they're ordinary. CR

Your community, your life

How the shape of your neighborhood may shape you.

Looking at a house? Before you commit yourself, take a minute to step back from it and consider its surroundings. The lay of the land is likely to have a significant effect on your life: how much time you spend at stoplights, where you shop, and even your sense of community.

The difference is most noticeable when you compare

life at opposite ends of the scale—in neighborhoods built at opposite ends of the century. Though neotraditional design is cropping up in some new neighborhoods, the overwhelming majority of homebuyers still have to make a basic choice between an old house in a pre-World War II neighborhood or a newer house in a post-war-style one.

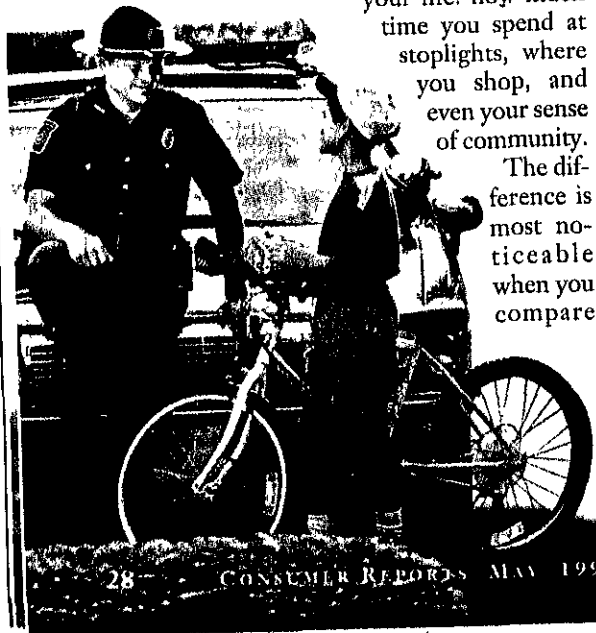
What are the consequences of choosing one over the other? To find out, we visited people living in both kinds of neighborhood in two fast-growing Sunbelt cities—Sacramento, Calif., and Orlando, Fla.—and asked them how they felt about their neighborhood and how they handled the daily routines of their lives. We also consulted the academic and professional literature on the relationship between urban form and travel patterns. What we learned can be summarized as several questions worth

considering no matter where you're planning to buy a house.

What's the traffic?

The standard street pattern in post-war suburbs assures that every single car has no choice but to get on the main drag—the arterial—at some point, for a trip of any length (see "Getting there," page 27). And as new malls, subdivisions, and offices sprout along arterials, traffic inevitably builds from year to year. We didn't find any residents who actually admitted to liking strip-mall development, but many were willing to tolerate it in exchange for a newer house. Also, many appreciated the flip side of heavy arterial traffic: almost no traffic on neighborhood streets, where, as one suburban father told us, "there are more kids' vehicles than cars."

By contrast, people who live in an older neighborhood with a connected grid of streets get a steadier but relatively light flow of traffic past their homes. Meanwhile, these communities' "main" commercial streets never acquire the intense congestion of arterials—something inhabitants of old-



fashioned neighborhoods especially prize. "I really like going downtown, because you can take the back roads instead of those big, congested roads," says James Glazebrook, who lives in Winter Park, a traditional community just north of Orlando.

Homebuyer's tip: Before signing that sales contract, drive or walk to the nearest grocery store, drugstore, and dry cleaner and see how you like the trip because you'll be making it regularly for years to come.

What is my neighborhood?

We found a subtle difference in people's "mental map" of their neighborhoods, depending on what kind they lived in.

In modern subdivisions, where land uses are deliberately kept well separated, people think of their neighborhood as, basically, the streets within the subdivision walls. There, they form strong social bonds with neighbors. In one Orlando subdivision that we visited—a single looped street—mothers who first met each other while out pushing strollers still get together years later for regular potlucks and card games.

But to describe the world outside the development walls, subdivision-dwellers tend to use purely utilitarian terms, not sentimental ones. Asked where they shop for groceries or prescriptions, they answer with a description of how many minutes or miles it takes to get to the nearest neighborhood strip mall.

In contrast, people who have chosen a traditional neighborhood consider the entire neighborhood—not just their block—as a distinctive, cohesive community.

"A wonderful grocery store, the best bakery in town, and an old-fashioned ice cream shop are maybe three blocks from my house," says Ellen Robinson-Haynes, who lives in the traditional Land Park neighborhood in Sacramento. "It's a great neighborhood to walk in. In the spring, summer, and fall the streets are completely overgrown with trees."

Homebuyer's tip: Think hard about your expectations for your neighborhood. If you are community-minded, you might have trouble making all the connections you want in a subdivision on the outskirts of town. If you want lots of privacy,

Worlds apart

What a difference the roads make

Kathy Les and Betsy Keithcart both live in roomy, well-kept houses in Sacramento, Calif. Each is married, and each has one school-aged daughter. They live less than 10 miles apart. Yet they step out their front doors each day into vastly different environments.

Les (below right) lives in a turn-of-the-century neighborhood a few minutes from downtown Sacramento. She can walk to a small grocery store, a bakery, a coffeehouse, a community center. When she drives, she navigates a grid of narrow, tree-shaded streets. Her neighborhood green space is a rectangular city park bordered on all sides by streets and houses.

Keithcart considered locating in Les's part of town, but found she couldn't afford the repairs and renovations an older house would require. Instead, she picked a house in an unincorporated area south

of the city (below left), a neighborhood, so new it doesn't even appear on area maps. When she leaves her pristine, quiet, walled-in development via its curving interior street, it's usually by car. The nearest store: two miles away. To get there she turns onto a four-lane collector road, which in turn leads to an eight-lane arterial where cars race from stoplight to stoplight. What walking Keithcart does is strictly for pleasure, on trails bordering a nature preserve near her home.

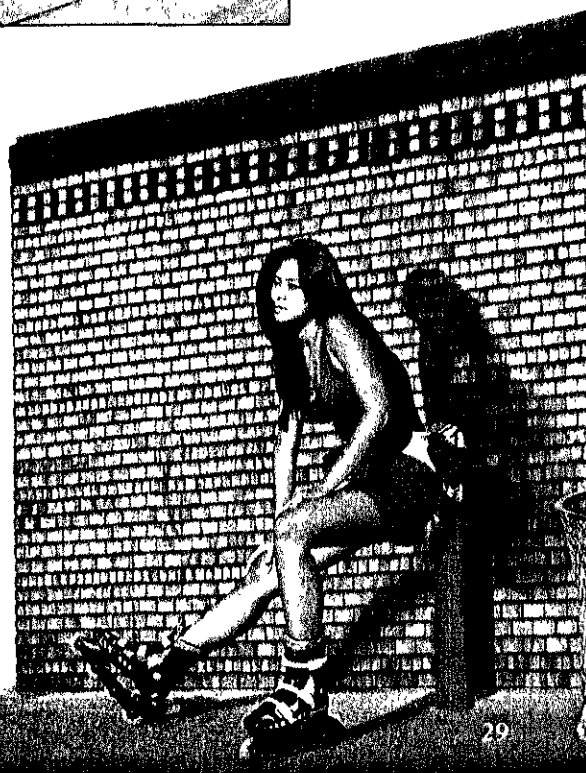


though, a traditional neighborhood might feel too "public."

Who needs to walk, and why?

Whether the neighborhood you choose is conducive to travel on foot depends somewhat on whether you want to walk, or you need to walk. People stroll for pleasure and exercise no matter what kind of neighborhood they live in, according to surveys done in California and Texas by Susan Handy, a planning expert at the University of Texas. When we asked residents in Orlando and Sacramento to keep a brief log of car and walking trips, we found exactly the same thing.

A neighborhood where your walk takes you to an actual destination is harder to find. First, it must have schools, stores, and parks



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within a quarter-mile or less. But that's not all: To entice people out of their cars, the walk itself should be along narrow streets that have slow-moving, light-to-moderate traffic, and a variety of appealing things to look at, preferably all shaded by mature trees. It also helps if there's a sidewalk. These elements can be found more readily in traditional neighborhoods than in modern suburban ones.

Walkability is most important for people who don't have the option of driving—older children and some senior citizens. In upscale Winter Park, retirees living in expensive apartments flock to nearby downtown shops and restaurants. And Margaret Sanders, a mother of four, says the family chose the community having previously lived in a spread-out suburb near Milwaukee. "Here the kids can ride their bikes to the library or to get an ice-cream cone downtown."

Homebuyer's tip: If you like or need to walk, get out of the car and take a stroll around the neighborhoods you're considering. You can't assess walkability through the windshield of a moving car.

Will things stay the same here?

When Meg and Jay Clark moved into their new suburban Orlando ranch house in 1984, "we liked it because it was rural," Meg recalls. Just beyond the back yard was a quiet orange grove; the street outside the subdivision walls was a sleepy two-lane road.

Today, a forest of houses has replaced the orange grove, and that quiet country road has become an ever-busier six-lane arterial. Development has brought some advantages—a larger selection of stores nearby—but no one would mistake the Clarks' neighborhood for "rural" any more.

In contrast, traditional neighborhoods, having long since been fully "built out," usually don't offer scenic rural vistas. On the other hand, the best ones do have strategically placed parks. In any case, what you see is likely to be what you'll get for years to come.

Homebuyer's tip: If you're looking at a house at the edge of town, check with the local planning department to see what developments might be permitted there in the future. Don't expect the developer to volunteer this information. ④

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A BRIEF HISTORY



entlands has been a landmark in the Washington Area since Henry Clagett, a prosperous Maryland farmer, began to acquire land for his estate in the mid-18th century. Before his own death in 1829, Joseph Clagett, the eldest son and heir of Henry, had amassed nearly 1,000 acres along the Darnestown Road/Quince Orchard corridor.

The Clagett family retained ownership of the land until 1852, at which time Frederick A. Tschiffely purchased the estate and named it "Wheatlands". In the years that followed, Tschiffely donated portions of his estate for the construction of a school and Presbyterian church at the site of present day Quince Orchard Shopping Center. He willed the remaining 600 acres to his son and namesake, Frederick Jr., who later demolished the estate home to begin construction of the present day dwelling. The colonial revival brick mansion, together with a brick barn that now houses the Kentlands Information Center, constituted the nucleus of Tschiffely's summer residence.

Following Tschiffely Jr.'s death in 1931, the estate was sold to Otis Beall Kent, an eccentric bachelor who immediately began to construct lakes, ponds, and buildings on the land. Local residents still talk of being invited to the Kent property to swim and fish in the lakes and feed the deer. Today, his twelve-acre Inspiration Lake forms the centerpiece of the Kentlands community. An early advocate of wildlife protection, Kent donated nearby Lake Placid as well as land for a wildlife sanctuary to the National Geographic Society, which is headquartered adjacent to Kentlands. It was also during Mr. Kent's ownership that the city of Gaithersburg began to annex the property.

Otis Beall Kent died in the early seventies, but left his estate and adjoining property in control of his adopted daughter, *Helene. Ms. Kent lived in the house for almost twenty years, and the estate remained a large private enclave within an area of explosive growth. Then, in 1988, 352 acres of the famed Tschiffely-Kent property were purchased with the intention of creating a traditional neighborhood development on the estate grounds. During a planning charrette in June of 1988, the Developer and world-renowned architects, Elizabeth Plater-Zyberk and Andres Duany, conceived Kentlands, a unique traditional neighborhood with the feeling of a small town.*

Source: Historic profile of the Tschiffely-Kent property prepared June, 1989 by History Associates Incorporated

KENTLANDS

SINGLE FAMILY, TOWNHOMES AND APARTMENTS BUILDER INFORMATION & PRODUCT BASE PRICES (REVISED MARCH 4, 1996)

SINGLE FAMILY

CHURCHILL GROUP

Phone: (301) 216-0252

\$264,900 - \$500,000

Sales Office Hours:

Monday - Sunday

10:00a.m. - 6:00p.m.

DOW HOMES, INC.

Phone: (301) 670-1885

\$265,000 - \$1,000,000

Sales Office Hours:

Monday - Sunday

11:00a.m. - 5:00p.m.

ROCKY GORGE COMMUNITIES

Phone: (301) 948-4774

\$274,900 - \$500,000

Sales Office Hours:

Monday - Tuesday & Friday - Sunday

11:00a.m. - 5:00p.m.

Wednesday - Thursday

12:00p.m. - 5:00p.m.

PARKWOOD HOMES

Phone: (301) 921-9361

\$238,900 - \$550,000

Sales Office Hours:

Monday - Sunday

11:00a.m. - 5:00p.m.

TOWNHOMES

ROCKY GORGE COMMUNITIES

Phone: (301) 948-4774

\$219,900 - \$252,000

Sales Office Hours:

Monday - Tuesday 11:00a.m. - 5:00p.m.

Wednesday - Thursday 12:00p.m. - 5:00p.m.

Friday - Sunday 11:00a.m. - 5:00p.m.

APARTMENTS

BOZZUTO & ASSOCIATES

BEACON PLACE

Phone: (301) 590-9240

\$775 - \$1,300/MONTH

Sales Office Hours:

Monday - Friday 9:00a.m. - 6:00p.m.

Saturday 10:00a.m. - 6:00p.m. Sunday 12:00p.m. - 6:00p.m.

VISITOR CENTER

PHONE: (301) 948-8353

HOURS: Monday - Friday 11:00a.m. - 5:00p.m. & Saturday - Sunday 10:30a.m. - 5:00p.m.

*** PRICES SUBJECT TO CHANGE WITHOUT NOTICE ***

Kentlands

General Information

OPENED: June, 1990

ANTICIPATED

COMPLETION: 1996-98

OVERVIEW: Kentlands is a 352-acre Traditional Neighborhood Development (TND) planned for approximately 1,500 residential units and approximately 800,000 square feet of retail and office space. Carefully designed and planned by a world-renowned team of architects to recreate the feeling of a small town, Kentlands provides a truly unique living environment. Streets are narrow with ample sidewalks and are organized in a grid pattern to eliminate isolated cul-de-sacs. Large and small single-family homes and luxurious townhomes are built close together on smaller lots to promote neighborliness and socializing on the common greens, as well as minimize property taxes and upkeep. At the same time, schools, stores and parks are within walking distance to further encourage interaction among neighbors and reduce reliance on automobiles.

DEVELOPER: Great Seneca Development Corporation

LOCATION: Thirteen miles northwest of Washington, D.C. along the I-270 corridor in Gaithersburg, Montgomery County, Maryland. Adjacent to Route 28 (Darnestown Road), Route 124 (Quince Orchard Road), and the Great Seneca Highway. Easily accessible to Interstates 370 (Sam Eij Highway), 270, 70, 495 (Capital Beltway), 95, 395 (Shirley Highway), 295 (Baltimore Washington Parkway), 66 and 267 (Dulles Access Road).

COMMUNITY FEATURES:

Residential: Five distinctive residential neighborhoods including:

Single-Family Units	467*
Townhome Units	508*
Condominiums (multi-family)	292*
Apartments (multi-family)	240*
Total Units Planned	1,507

*As of September 13, 1995 These figures may change after the Midtown section is finalized.

Commercial: Kentlands Square Shopping Center 335,000sf
Kentlands Exxon Station
Chevy Chase Bank
Uptons Department Store

Cultural/Recreational:

- Kentlands Recreation Center
- Lakes: Inspiration, Helene, and Lynette (fishing pier, walking paths)
- Quarry Park
(owned by City of Gaithersburg)
- Village Green
(owned by City of Gaithersburg)
- Kentlands Mansion, Barn & Firehouse
(owned by City of Gaithersburg)
- 800-student Rachel Carson Elementary School
- Kentlands Children's Center – preschool, daycare, and before/after school care.

RECREATIONAL AMENITIES:

<i>Amenities</i>	<i>Proposed</i>	<i>Completed</i>
Clubhouse/Bathhouse	1	1
Swimming Pools	3	3
Tennis Courts	4	4
Multi-Use Courts	1	1
Tot Lots	5	4
Lakes	3	3
Walking/Biking/Jogging Trails	3 miles	3 miles
Volleyball (Sand Courts)	1	1
Elementary Schools	1	1
Day Care Centers	1	1
Places of Worship	1	1
Parks	1	1



KENTLANDS

General Information, Continued

COMMUNITY ASSOCIATION:

All property owners in Kentlands are members of the Kentlands Citizens Assembly. The Assembly provides for the maintenance of commonly owned properties and facilities including private alleyways and parking areas, green areas, recreation facilities, tot lots, and equipment. In addition, the Assembly runs the Kentlands Recreation Center and assures the architectural integrity and appropriate maintenance of the lots within the community through the years.

Design guidelines regulate exterior modifications, including, but not limited to, fencing, decks, and landscaping.

Current Assembly assessments are approximately \$67.00 per month for single family and townhome residents and \$48.00 per month for condominium residents. In addition, a one-time assessment equal to 3 times the current monthly assessment is collected at the time of settlement as a capital contribution. The fees pay for the administration and operation of the Assembly; the repair, replacement and/or maintenance of commonly owned properties and facilities; landscape maintenance along public rights-of-way; snowplowing of the private roads and parking areas; and refuse collection and recycling. \$25.00 of the monthly assessment pays for membership to and administration of the Kentlands Recreation Center.

INFORMATION CENTER:

311 Kent Square Road
Gaithersburg, Maryland 20878
Telephone: (301) 948-8353
Fax: (301) 948-7988

Hours of Operation:

10:00 a.m. - 5:00 p.m. - Monday through Sunday



KENTLANDS

Kentlands

Community and Regional Information

OVERVIEW

Kentlands is a 352-acre Traditional Neighborhood Development (TND) planned for approximately 1,500 residential units and approximately 800,000 square feet of retail and office space. Carefully designed and planned by a world-renowned team of architects to recreate the feeling of a small town, Kentlands provides a truly unique living environment. Streets are narrow with ample sidewalks and are organized in a grid pattern to eliminate isolated cul-de-sacs. Large and small single-family homes and luxurious townhomes are built close together on smaller lots to promote neighborliness and socializing on the common greens, as well as minimize property taxes and upkeep. At the same time, schools, stores and parks are within walking distance to further encourage interaction among neighbors and reduce reliance on automobiles.

AMENITIES

Kentlands includes 3 miles of jogging and bike trails, 3 lakes for fishing and bird watching, 5 tot lots, pocket parks, picnic areas, scenic views, and acres of additional open space and wooded areas for recreational use.

The Kentlands Recreation Center, available to all Kentlands homeowners through their Homeowner's Association Membership, includes a 25-meter lap pool, separate social pool, tot pool, 4 tennis courts (2 with lighting), basketball and volleyball courts, and a two-story clubhouse with fitness room, lounge, and kitchen facilities.

The Kentlands Children's Center is a two-story, 7,600 square-foot facility offering a full family service program, including educational full-day child care, morning preschool, before-and after-school care, and a state-of-the-art computer center with 10 IBM desktops.

The Kentlands Square Shopping Center features community convenience just a short walk away for Kentlands residents. This 335,000 square foot center includes such well-known stores as Giant Food, Crown Books, Lowes Hardware and K-Mart.

Kentlands Mansion is the new home of the City of Gaithersburg Council for the Arts. The Council promotes development of the arts and culture in the

City. Public events at the Mansion will feature musical concerts by the National Chamber Orchestra, monthly art exhibits, lectures and play readings.

TRANSPORTATION

The Montgomery County Ride-on Bus Line has stops on Rt. 28 and Rt. 124 and provides residents with transportation to Shady Grove Metro Station which is a 35-minute ride to downtown Washington, D.C.

SCHOOLS

The Rachel Carson Elementary School which opened in September 1990, and the Preschool Program at the Kentlands Children's Center are both within the Kentlands Community.

Preschool/Kindergarten:

Kentlands Children's Center 590-7355

Elementary:

Rachel Carson 840-5333

Middle:

Ridgeview 840-4770

High:

Quince Orchard 840-4686

DAY CARE

Kentlands Children's Center 590-7355

EMERGENCY—HOSPITAL AND MEDICAL

Fire, Rescue, Police 911

Shady Grove Adventist Hospital,

Rockville 279-6000

Children's National Medical Center

of Montgomery Co. 424-1755

PARKS AND RECREATION

Kentlands Recreation Center 948-4290

Quince Orchard Swim and Tennis Club 948-3116

Athletic Express 258-0661

Seneca State Park, Germantown 924-2127

Black Hills Regional Park, Boyds 972-3476

Montgomery Village Golf Club 948-6204

Lakewood Country Club, Rockville 762-5430

POST OFFICE

Gaithersburg 948-0308



KENTLANDS

Community and Regional Information, Continued

GROCERY AND DRUG STORES

Giant Food, Kentlands	208-8203
Gourmet Giant, Muddy Branch Square	948-8148
Safeway	417-0866
CVS Drug	948-5920

CITY OF GAITHERSBURG INFORMATION

Gaithersburg Council for the Arts (Kent Mansion)	258-6425
General Information	258-6300
City Police Department	258-6400
Animal Control	258-6343
Department of Parks and Recreation	258-6350
Planning Department	258-6325
Building and Code Administration	258-6330

UTILITIES

Bell Atlantic Telephone Company New Service	954-6260
Repair	954-2222
Pepco (Potomac Electric Power Co.)	202-833-7500
Washington Gas (Maryland division)	202-639-2775
WSSC (Water & Sewer)	206-8000

TAXES

Real Estate Taxes: The City tax rate is 53 cents for each \$100 of assessed value of property. However, the difference between what a city

resident pays in taxes and what a non-city, Gaithersburg area resident pays is much less than 53 cents. As of May 1994, it costs only 26.5 cents more for each \$100 of assessed value for someone to live in the City of Gaithersburg. City residents pay less county taxes than neighbors outside the City limits. Certain shared revenues to which Gaithersburg is entitled enable the City to keep residents' tax bills low and still offer a wide range of services.

For further information, contact City of Gaithersburg Finance Department at 258-6320.

KENTLANDS CITIZENS ASSEMBLY

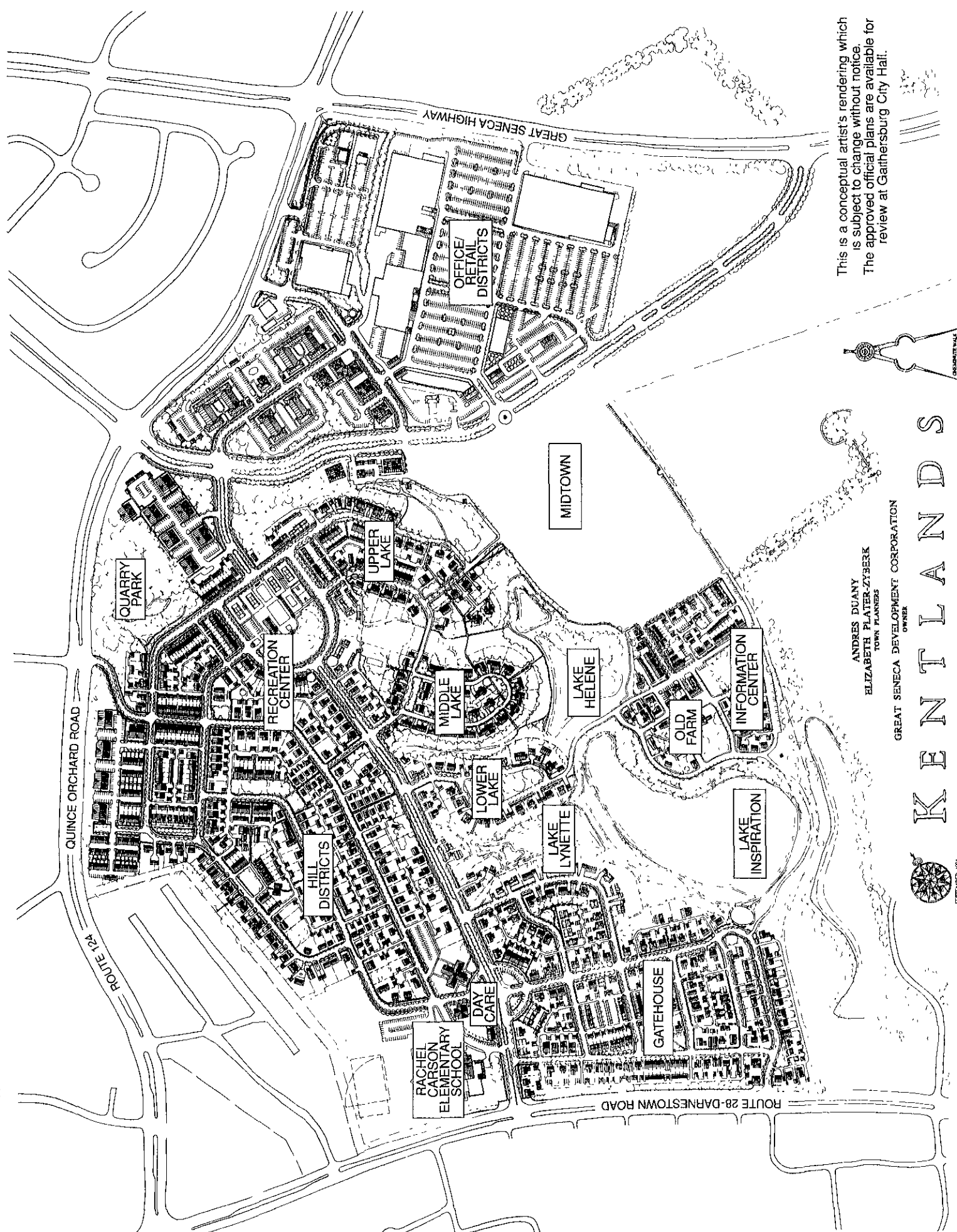
President - Michael Cody	986-7066
CMC - Managing Agent - Mark Keenan	948-2071
Citizen Representatives - Richard Arkin	258-7874
Barney Gorin	977-7172
Chairman, Liaison Committee Greg Mallus	216-0045

OTHER IMPORTANT NUMBERS

Kentlands Information Center	948-8353
Town Architect, DPZ, Mike Watkins	948-6223
Trash Disposal, Waste Management of Montgomery Co	340-0774
Health Department	217-1716
Motor Vehicle Department	1-800-637-6003
Police (non-emergency)	279-8000



KENTLANDS



This is a conceptual artist's rendering which is subject to change without notice. The approved official plans are available for review at Gaithersburg City Hall.

ANDRES DUANY
ELIZABETH PLATER-ZYBERK
TOWN PLANNERS

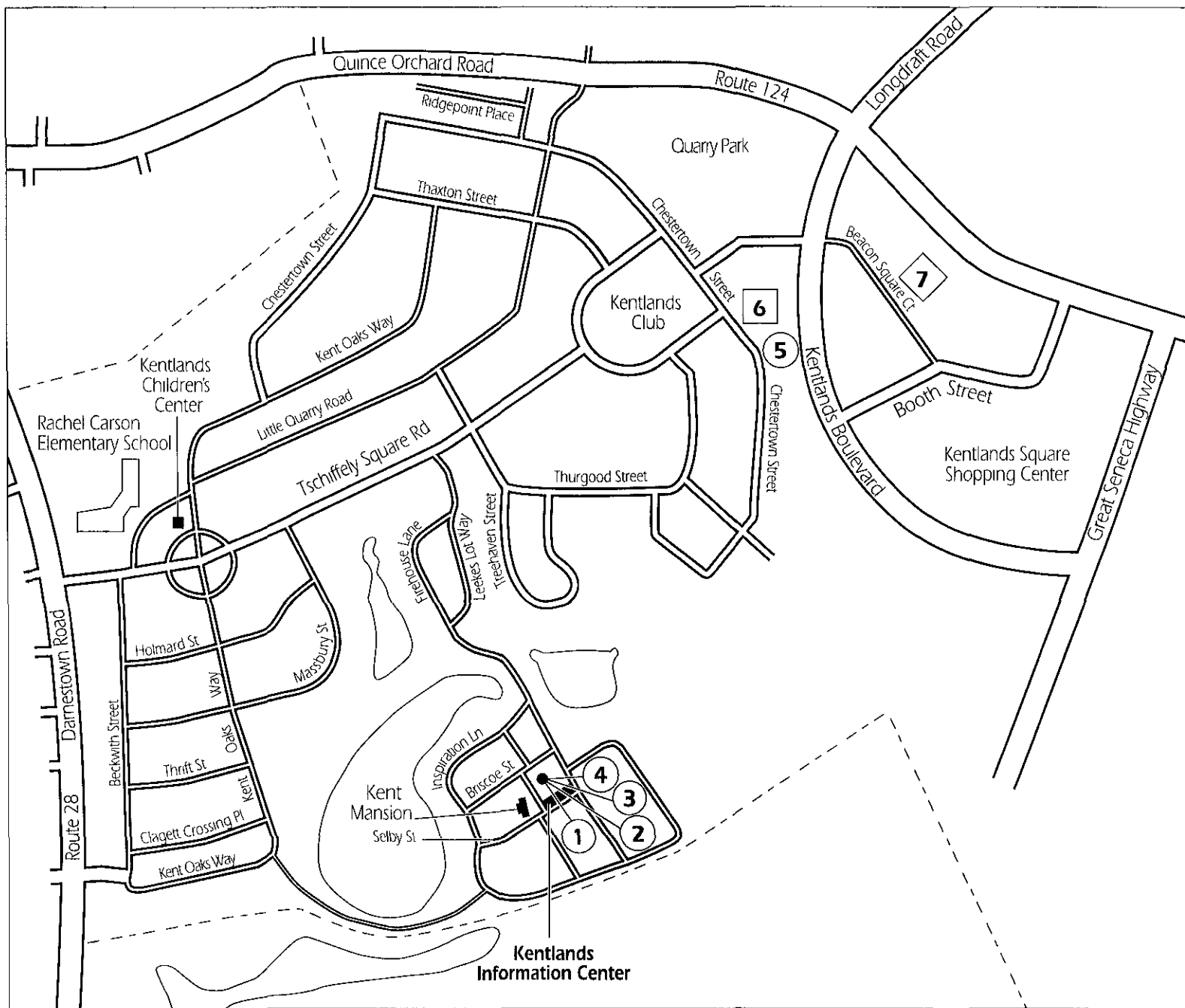
GREAT SENECA DEVELOPMENT CORPORATION
OWNER

KENTLANDS



SEPTEMBER 1994

Kentlands Builder Locator Map



Builder Sales Offices:

Single-Family Homes

- ① Parkwood Homes
- ② Stonewall Homes, Inc
- ③ Churchill Group
- ④ Dow Homes, Inc
- ⑤ Rocky Gorge Communities

Townhomes

- ⑥ Rocky Gorge Communities

Apartments

- ⑦ Bozzuto & Associates, Beacon Place

KENTLANDS

G A I T H E R S B U R G, M A R Y L A N D

We are pledged to the letter and spirit of U.S. policy for the achievement of Equal Housing Opportunity throughout the Nation. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, handicap, familial status or national origin.

© 1996 Great Seneca Development Corporation



EASTERN MANOR SUBDIVISION
PROPOSED UTILITIES & ROAD CONSTRUCTION
BALTIMORE COUNTY, MARYLAND

26
GOOD

1" = 50'

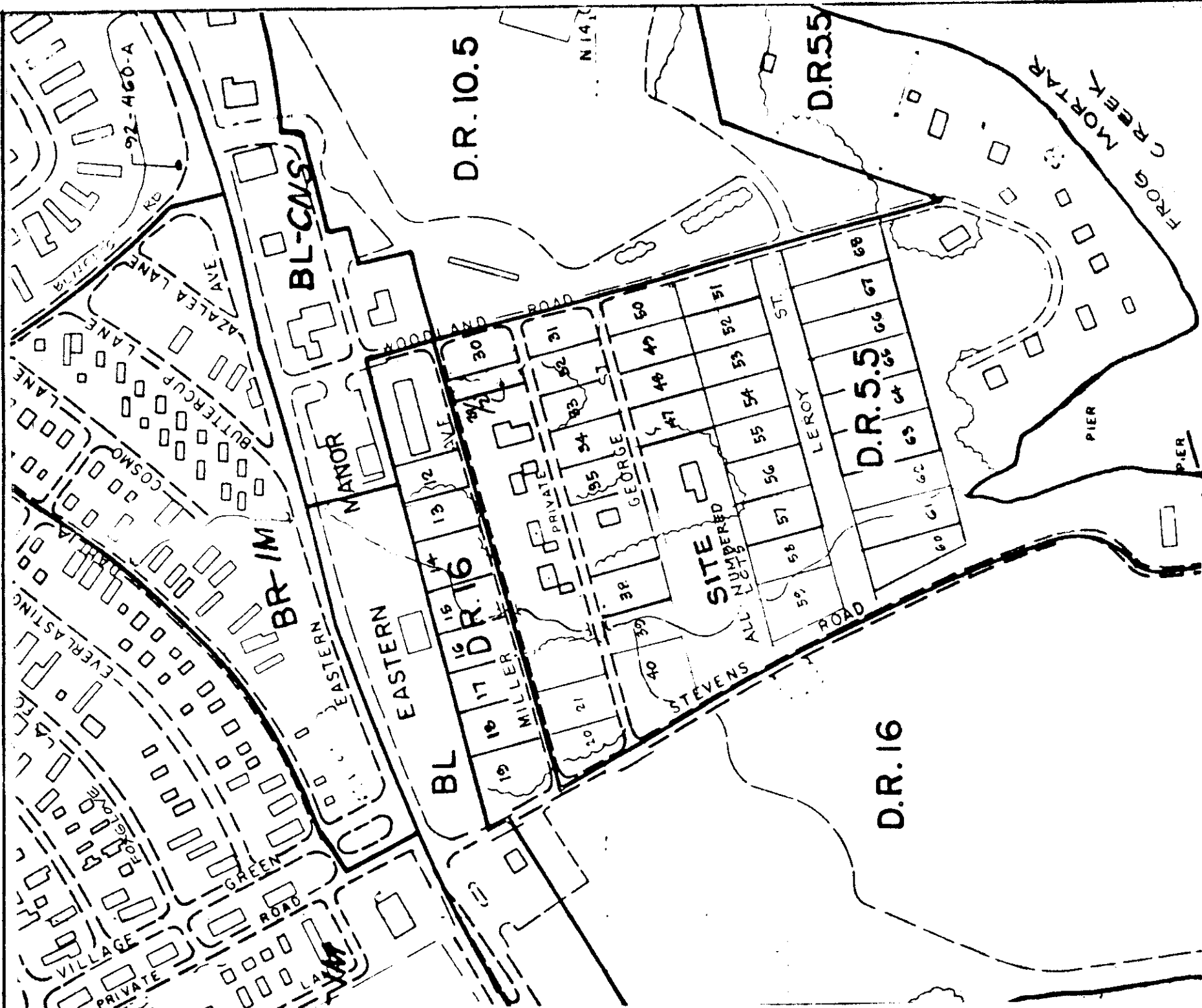
PROP. PAVING

NOTE: PROPOSED
RANDOM
EAST-
WEST
STORM DRAIN

PROP. 6" CITY SEWER

PROP. WATER

PROP. STORM DRAIN



ZONING & VICINITY MAP
Scale: 1" = 200'

NOTES

1. PETITIONER: DANIEL C. BEVANS SR. & BARBARA A. BEVANS
OWNER: SAME
DEED REFERENCE: LIBER 867, FOLIO 87
TAX MAP 91, GRID 8, PARCEL 263
ACCOUNT NO. 15 1512400922, ETC.
LOTS SHOWN ON SUBDIVISION PLAT OF EASTERN MANOR PB 1422
2. EXISTING ZONING: D.R. 16 & D.R. 5.5
3. EXISTING USE: 44 & 1/2 UNIMPROVED RECORDED LOTS OWNED BY THE PETITIONER THAT LIE WITHIN AN ENVIRONMENTALLY SENSITIVE AREA. SHOWN IN YELLOW OUTLINE
4. PROPOSED USE: SINGLE FAMILY HOMES TO BE CONSTRUCTED ON THE LOTS THAT ARE APPROVED BY GOVERNMENT REGULATORY AGENCIES.
5. VARIANCE REQUESTED FOR A FRONT YARD SETBACK BETWEEN ZERO AND 12 FEET IN LIEU OF REQUIRED 25 FEET AND A STREET CORNER SETBACK BETWEEN 5 FEET AND 15 FEET.
6. THE PURPOSE OF THIS VARIANCE REQUEST IS TO LIMIT THE REMOVAL OF EXISTING TREES AND LIMIT SOIL DISTURBANCE TO AN ABSOLUTE MINIMUM. THIS WOULD BE ACCOMPLISHED BY GRANTING THE REQUEST DESCRIBED ABOVE. THIS REQUEST HAS THE SUPPORT OF THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT. APPROXIMATE UNDISTURBED AREA SHOWN.
7. PUBLIC WATER AND SEWER WILL BE PROVIDED TO THE APPROVED LOTS.
8. A ROAD CLOSING REQUEST WILL BE MADE FOR THE ENVIRONMENTALLY RESTRICTIVE PORTIONS OF GEORGE STREET AND LEROY STREET.

TABLE OF SETBACK VARIANCE REQUEST			
LOT NO.	FRONT	STREET CORNER	
12	0'-12"	N/A	
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THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW.

A TITLE REPORT WAS NOT FURNISHED FOR THIS PLAT.

OTIS & KAPPE ATTORNEYS
15150 88th Ave
1936/274

HUGHES

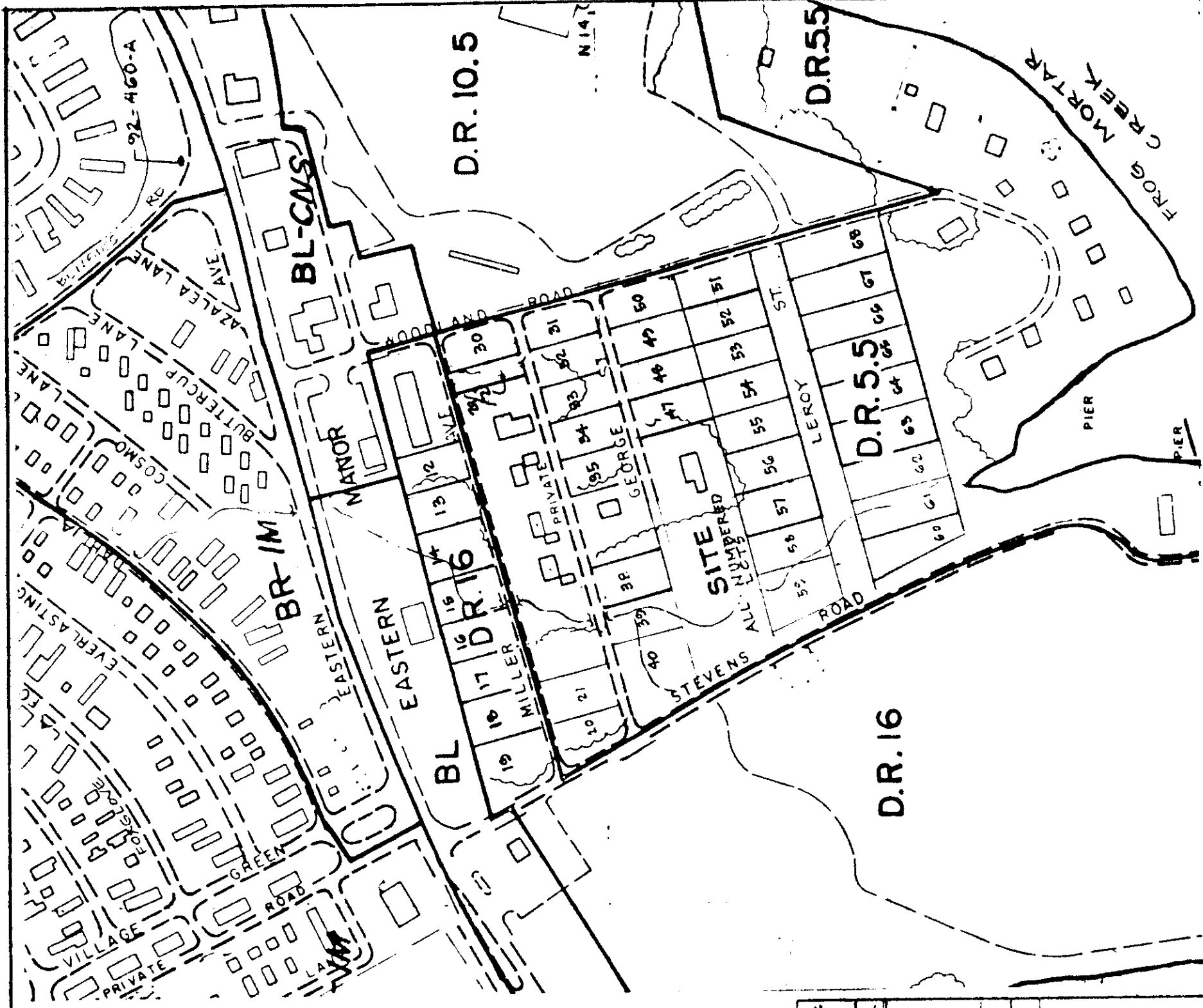
SHORE

ALFREY & SWEET
15150 88th Ave
1936/274

PLAT TO ACCOMPANY A REQUEST FOR A
VARIANCE FOR CERTAIN LOTS IN THE
EASTERN MANOR SUBDIVISION
MILLER AVENUE, GEORGE & LEROY STREETS
ELECTION DISTRICT NO. 5
COUNCILMANIC DISTRICT NO. 5
BALTIMORE COUNTY, MARYLAND

MICROFILMED

Scale: 1" = 50'
April 4, 1996
Prepared by
H. Malmud & Associates, Inc.
100 Church Lane
Baltimore County, Maryland 21208
Telephone (410) 653-9511



ZONING & VICINITY MAP

Scale: 1" = 200'

NOTES

- 1 PETITIONER: DANIEL C. BEVANS SR. & BARBARA A. BEVANS
OWNER: SAME
DEED REFERENCE: LIBER 867, FOLIO 87
TAX MAP 91, GRID 8, PARCEL 263
ACCOUNT NO. 15 161340922, ETC.
LOTS SHOWN ON SUBDIVISION PLAT OF EASTERN MANOR PB 14/22
- 2 EXISTING ZONING: D.R. 16 & D.R. 5.5
- 3 EXISTING USE: 44 & 1/2 UNIMPROVED RECORDED LOTS OWNED BY THE PETITIONER THAT LIE WITHIN AN ENVIRONMENTALLY SENSITIVE AREA.
- 4 PROPOSED USE: SINGLE FAMILY HOMES TO BE CONSTRUCTED ON THE LOTS THAT ARE APPROVED BY GOVERNMENT REGULATORY AGENCIES.
- 5 VARIANCE REQUESTED FOR A FRONT YARD SETBACK BETWEEN ZERO AND 12 FEET IN LIEU OF REQUIRED 25 FEET AND A STREET CORNER SETBACK BETWEEN 5 FEET AND 15 FEET.
- 6 THE PURPOSE OF THIS VARIANCE REQUEST IS TO LIMIT THE REMOVAL OF EXISTING TREES AND LIMIT SOIL DISTURBANCE TO AN ABSOLUTE MINIMUM. THIS WOULD BE ACCOMPLISHED BY GRANTING THE REQUEST DESCRIBED ABOVE. THIS REQUEST HAS THE SUPPORT OF THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- 7 PUBLIC WATER AND SEWER WILL BE PROVIDED TO THE APPROVED LOTS.
- 8 A ROAD CLOSING REQUEST WILL BE MADE FOR THE ENVIRONMENTALLY RESTRICTIVE PORTIONS OF GEORGE STREET AND LEROY STREET.

TABLE OF SETBACK VARIANCE REQUEST			
LOT NO.	FRONT	STREET CORNER	REMARKS
12	0-12'	N/A	
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#112
APPROVED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
DATE: 4/15/96
BY: MARY E. JENNISON
1336/412

THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW.
A TITLE REPORT WAS NOT FURNISHED FOR THIS PLAT.



Scale: 1" = 50'
April 4, 1996
Prepared by:
H. Mahmud & Associates, Inc.
100 Church Lane
Baltimore County, Maryland 21208
Telephone (410) 653-9511

COUNCILMANIC DISTRICT NO. 5
BALTIMORE COUNTY, MARYLAND

PLAT TO ACCOMPANY A REQUEST FOR A
VARIANCE FOR CERTAIN LOTS IN THE
EASTERN MANOR SUBDIVISION
MILLER AVENUE, GEORGE & LEROY STREETS
ELECTION DISTRICT NO. 15

97-77-7

IN RE: PETITION FOR VARIANCE * BEFORE THE
SW/Corner Miller and Woodland Avenues * DEPUTY ZONING COMMISSIONER
(Lots 12-19, 20-21, 29-35, 38- * OF BALTIMORE COUNTY
40 and 47-68 of Eastern Manor)
15th Election District *
5th Councilmanic District * Case No. 97-77-A
Daniel C. Bevans, et ux
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for the development of the subject lots in the Eastern Manor subdivision, which is located between Miller and Woodland Avenues, Leroy Street and Stevens Road, in Essex. The Petition was filed by the owners of the property, Daniel C. and Barbara A. Bevans, through their attorney, Michael P. Tanczyn, Esquire. The Petitioners seek relief from Section 1801.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of between 0 and 12 feet in lieu of the required 25 feet for Lots 12 - 19, zoned D.R. 16, and for Lots 20 - 68, zoned D.R. 5.5, and a side building face to public street right-of-way setback of between 5 feet and 15 feet in lieu of the required 15 feet for Lots 30 and 29/2, 31, 50, 51 and 68, and to determine that the current large tract setbacks apply for the proposed development of the subject property with 30 single family dwelling units. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Daniel Bevans, owner of the property, Herbert Mahmud, Registered Land Surveyor, who prepared the site plan for this project, Simon Rosenberg, Developer of the subject property, and Michael P. Tanczyn, Esquire, attorney for the

Petitioners. Appearing as Protestants in the matter were Philip Edwards, with the Bowleys Quarters Improvement Association, David R. Cahlander and Earl R. Holcomb with the Stevens Road Improvement Association, and Byron E. Livingston, all of whom are nearby residents of the area.

Testimony and evidence offered revealed that the subject property is part of a large tract of land which was approved in 1947 for a residential subdivision consisting of 68 single family lots. Over the years, several of the lots have been developed with single family homes. In fact, the Petitioners have resided at 3227 George Street, which is located on Lots 44, 45 and 46, for the past 18 years. The Petitioners had an opportunity to purchase the remaining unimproved lots in December 1994 and now seek to develop the remaining developable lots in accordance with Petitioner's Exhibit 1. Due to the close proximity of this property near Frog Mortar Creek, many of the lots in this subdivision are undevelopable by virtue of the environmental constraints associated with this property. As shown on the site plan, there are forest buffers and a 100-year flood plain existing on the property and thus, development in several areas is severely restricted. What is developable is depicted on Petitioner's Exhibit 1. Those areas outlined in green are not intended for development and the Petitioner wishes to preserve those areas as open space in their natural vegetative state. The variances requested by the Petitioners are necessary in order to develop the property in consideration of its sensitive environment. That is, the Petitioners propose to develop the lots with setbacks of between 0 and 12 feet along the various roads that exist in the community of Eastern Manor. Doing so will preserve the rear portions of the affected lots as open space or naturally forested areas, as outlined in green on Petitioner's Exhibit 1.

- 2 -

Also proposed is a neo-traditional concept of housing, wherein the houses will be set back from the street right-of-way a distance of from 0 to 12 feet. This concept has gained popularity in other jurisdictions in and around Maryland and northern Virginia. Mr. Sy Rosenberg testified that he is familiar with other types of neo-traditional housing which have been successful in other areas. He believes the subject site is a prime candidate for this type of housing.

Furthermore, due to the property's location in the Chesapeake Bay Critical Areas, the Petitioners propose to pave only 18 feet of the 50-foot wide roadways in this neighborhood. Minimizing the amount of paving in this development will lessen the amount of impervious surface in this community. Furthermore, smaller streets will allow the houses to be situated closer to their property lines and allow for smaller front yards.

The Petitioners further testified that the Department of Environmental Protection and Resource Management (DEPRM) supports this neo-traditional housing concept in that it will preserve and maintain much of the vegetation on the property. Furthermore, the Petitioners are preserving a large greenway area adjacent to Stevens Road and will actually perform road closings for Leroy Street and George Street so that those roads will never be extended through the subject property to connect with Stevens Road.

Mr. Rosenberg further testified that the proposed houses in this development will range in price from \$130,000 to \$150,000 and that no more than half of those houses will have 0-foot front setbacks. The other half of these houses will have a front setback of somewhere between 0 and 12 feet. Further testimony was that they will build no more than 30 homes in this subdivision, given the environmental constraints imposed upon them.

As noted above, several residents from the surrounding community appeared as Protestants themselves and as representatives for some of the neighborhood associations. These individuals appeared in opposition to the request initially because they were unaware of the type and number of homes proposed for this property. Not having full knowledge of what was being proposed for the subject site, these residents took a position of opposition and were unable to offer the view of their association given their limited knowledge of this project. However, testimony demonstrated that there is a tremendous concern among these individuals as to the volume of traffic which currently utilizes Eastern Avenue in this area of Baltimore County. These residents are concerned over the additional traffic which may be generated by the proposed 30 homes. As a result of discussions at the hearing between the Developer and the Protestants, it was agreed that Mr. Bevans and Mr. Rosenberg would meet with the community associations after this hearing to resolve any differences they may have concerning the proposed development and to discuss the project in greater detail.

Based upon the testimony and evidence presented at the hearing, I am persuaded to grant the relief requested. The variances are generated out of concern for the environmental sensitivity of the subject property and will allow the proposed houses to be built in locations where natural vegetation and trees can remain. Furthermore, these variances will foster less impervious surface to be used in the development of this property.

In the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare

of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and

- 5 -

- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of October, 1996 that the Petition for Variance seeking relief from Section 1801.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of between 0 and 12 feet in lieu of the required 25 feet for Lots 12 - 19, zoned D.R. 16, and for Lots 20 - 68, zoned D.R. 5.5, and a side building face to public street right-of-way setback of between 5 feet and 15 feet in lieu of the required 15 feet for Lots 30 and 29/2, 31, 50, 51 and 68, and to determine that the current large tract setbacks apply for the proposed development of the subject property with 30 single family dwelling units, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order

- 6 -

has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

7) The Developer has outlined in green on Petitioner's Exhibit 1 a number of environmentally sensitive areas. The Developer is prohibited from removing any of the trees or vegetation that exists within those green areas. Furthermore, the Developer shall be required to flag and/or post those areas that are not to be disturbed during the construction phase of this development.

3) Compliance with the Zoning Plans Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management, dated September 5, 1996, and the Office of Planning, dated September 10, 1996.

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy R. Kotroco
TIMOTHY R. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

- 7 -

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director September 5, 1996
Zoning Administration and
Development Management
FROM: Robert A. Wirth *RAW:gs*
DEPRM
SUBJECT: Zoning Item #76 - Eastern Manor
Zoning Advisory Committee Meeting of August 26, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

This Department supports the requested variance as granting it would allow for design flexibility to avoid or minimize impacts to streams, wetlands, water quality and forest.

RAW:GS:sp
c: Daniel & Barbara Bevins
EASTERN/DEPRM/TXTSBP

TO: PAYMENT PUBLISHING COMPANY
September 5, 1996 Issue - Jeffersonian

Please forward billing to:

Michael Tanczyn, Esq.
606 Baltimore Avenue, Suite 106
Towson, MD 21204
206-8823

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-77-A (Item 76)
Eastern Manor
SAC Miller and Woodland Avenue
15th Election District - 5th Councilmanic
Legal Owner(s): Daniel C. Bevans and Barbara A. Bevans

Variance for Lots 12-19 - a front yard setback of between zero feet and 12 feet in lieu of the required 25 feet; for Lots 20 - 68 - a front yard setback of between zero feet and 12 feet in lieu of the required 25 feet and 1 off-street parking space in lieu of the required 2 off-street parking spaces for all of the above lots; a setback from the side building face to public street right of way and of between 5 feet and 15 feet in lieu of the required 15 feet for Lots 30, 29/2, 31, 50, 51, and 68 and determine that the current large tract setbacks apply.

HEARING: MONDAY, SEPTEMBER 30, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE MANICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 29, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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HEARING: MONDAY, SEPTEMBER 30, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Arnold Jablon
Director

cc: Daniel and Barbara Bevans
Herb Malmud
Michael P. Tanczyn, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE MANICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 23, 1996

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Suite 106
Towson, MD 21204

RE: Item No.: 76
Case No.: 97-77-A
Petitioner: Daniel Bevans, et ux

Dear Mr. Tanczyn:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 15, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Rubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: September 10, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: Eastern Manor

INFORMATION:

Item Number: 76

Petitioner: Daniel C. Bevans

Property Size:

Zoning: DR-16 and DR-5.5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided and analysis conducted, this office offers the following comment:

The site, which is known as Eastern Manor, is located in the critical area (LDA) on a tract of land situated south of Eastern Avenue, next to the Bengles Drive-in Theater. Several lots within the development subject to this request are improved with single family homes.

On June 25, 1996, Mr. Malmud, of H. Malmud & Associates, Inc. met with staff to discuss the development potential of the subject property. He indicated a neo-traditional design should be considered due to site's environmental constraints. A neo-traditional approach might include design elements such as 18' wide roads and front yard setbacks of 0-12 feet, for example.

As a result of the June meeting and subsequent follow-up conversations, an understanding was reached based on several agreed upon conditions (see Mr. Malmud's letter attached).

The Office of Planning supports the applicant's request subject to the attached agreement and the following additional recommended conditions:

- That non-buildable lots be excluded from the variance request.

TO: Arnold Jablon, Director, PDM
FROM: Arnold F. "Pat" Keller, III, Director, OP

- That no more than half of the buildable lots will have a zero foot setback from the street right-of-way line.

- That the same setback as the adjacent house will be provided on Lot 30.

Prepared by: *Jeffrey W. Long*

Division Chief: *Carol L. Kern*

AFK:JL

Attachment

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management Date: August 30, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for September 3, 1996
Item No. 076

The Development Plans Review Division has reviewed the subject zoning item.

The issue of on-street parking shall clearly be addressed.

RWB:HJO:jrb

cc: File

ZONE24B

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management September 5, 1996

FROM: Robert A. Wirth *RAW/gg*
DEPRM

SUBJECT: Zoning Item #76 - Eastern Manor
Zoning Advisory Committee Meeting of August 26, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

This Department supports the requested variance as granting it would allow for design flexibility to avoid or minimize impacts to streams, wetlands, water quality and forest.

RAW:GS:sp

c: Daniel & Barbara Bevans
EASTERN/DEPRM/TXTSBP

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 08/27/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 26, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 59, 70, 72, 73, 74, 75, 76, 77, 78, 79 AND 80.

2

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper

ITEM76/PZONE/TXTJWL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 076 (MJK)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

97-77A

NAME

ADDRESS

Michael Tanczyn
HERBERT MALMUD

SEE 106 LOG BALTIMORE AVE Towson, MD 21204
H. MALMUD & ASSOC. INC.
100 CHURCH LANE Pikesville, MD 21208
St. Rosemary - Assoc.
1216 Maple Rd. St. Sp. Md. 21204
3227 GEORGETOWN BALTIMORE, MD 21220

Simon Rosenberg
Dan Bevan

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

PHILIP EDWARDS - BOLA
DAVID K. GILMAN - SR. JR.
STEVENS RD IMP ASSOC.

K.C. SUSANOWSKI ALC
210 STEVENS RD (OFF)

Byron E. Livingston
PAUL R. HOCOMBS
STEVENS RD IMP ASSOC.

169 Hughes Shore Rd #1220
206 STEVENS RD 21220

SEP-03-96 TUE 17:04 MALMUD

410 9221924

P.02

H. MALMUD & ASSOCIATES, INC.
100 CHURCH LANE
BALTIMORE, MARYLAND 21208
TELEPHONE (410) 653-9511

JULY 27, 1996

MS. LYNN LANHAM
DEVELOPMENT REVIEW SECTION
BALTIMORE COUNTY OFFICE OF PLANNING
TOWSON, MARYLAND 21204

RE: EASTERN MANOR SUBDIVISION

DEAR MS. LANHAM:

AS PER THE MEETING IN YOUR OFFICE ON JUNE 25, 1996 THIS IS TO SUMMARIZE THE ISSUES DISCUSSED AND RESOLVED ON THE REFERENCED PROJECT:

1. A MINIMUM DISTANCE OF 15 FEET IS ACCEPTABLE AS USEABLE REAR YARD.
 2. THE PROPOSED STREET WILL HAVE AN 18 FOOT OPEN SECTION WITHOUT SIDEWALKS.
 3. EACH DWELLING UNIT WILL HAVE THREE PARKING SPACES.
 4. NOT MORE THAN HALF OF THE LOTS WILL BE REQUESTED TO HAVE A ZERO SETBACK FROM THE STREET RIGHT OF WAY LINE.
 5. NON-PORCH UNITS AND GARAGES WILL HAVE A MINIMUM SETBACK OF 5 FEET FROM THE STREET RIGHT OF WAY LINE.
 6. NEW HOMES THAT ARE NEXT TO EXISTING HOUSES WILL HAVE AN AVERAGE SETBACK BETWEEN THE EXISTING HOUSE AND THE ADJACENT PROPOSED DWELLING.
 7. STREET CORNER LOTS WILL HAVE A REQUESTED SETBACK BETWEEN FIVE AND 15 FEET.
 8. LOT 29/2 - 30 WILL HAVE THE SAME SETBACK AS THE EXISTING ADJACENT HOUSE.
 9. UPON APPROVAL OF THE ZONING VARIANCE, ROAD CLOSING PROCEDURE WILL BE INITIATED.
- ON BEHALF OF ALL OF US INVOLVED ON THIS PROJECT I WOULD LIKE TO THANK YOU FOR YOUR HELP, ADVICE AND SUPPORT.

SINCERELY,

HERBERT MALMUD

Inside: Home Prices ... Mortgage Rates ... Dream Home ... Nation's Housing ... Top Ten

REAL ESTATE

June 16, 1996

THE SUN

Section L

SUNDAY

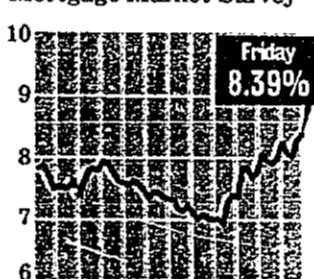
Move to Eldersburg feels like a rebirth, grandparents say

Blanche and Sam Caprio moved into a larger house after their children were grown, and now they have plenty of room for the grandchildren to stay over. The family-oriented neighborhood makes them feel younger, Blanche Caprio says, comparing life in Eldersburg's Brynwood Hills development to the rejuvenating pool in the movie "Cocoon." (Page 6)

Harney 4¢ Rates 4¢
Digest 7¢ Sales 8¢
Carriage 4¢ Mailing 5¢

30-Year Mortgage Rate

Freddie Mac Primary Mortgage Market Survey



By LORNA MIRABELLA
SUN STAFF

REAL ESTATE WATCH

'Campaign' aims to rebuild city's ebbing population

The "Baltimore Campaign" is an initiative designed to promote the city's growth by encouraging the city to meet from 8 a.m. to 10 a.m. Tuesday at the Baltimore Urban League.

The organization had its first strategic planning session last month at the Renaissance Harborplace Hotel. Committees were formed and are scheduled to meet throughout this month to come up with an implementation plan. The groups include Residential Incentives, Public Safety, Education, Promoting, Urban Development, and Marketing & Promoting Baltimore. The campaign is being coordinated by the Citizens Planning and Housing Association.

The campaign is a response to the declining city population. Baltimore has lost some 200,000 residents in the past quarter-century, and the Baltimore Campaign is seeking ways to attract people to live in the city. For information, call Pamela King at 559-1369.

Realtors' conference set for Atlantic City

"Hit The Jackpot" is the theme of the 44th annual conference of the Maryland Association of Realtors, Sept. 16-18 at Bally's Park Casino Hotel in Atlantic City, N.J. It will include a 7-screen technology room featuring the latest computer products aimed at the real estate professional. A limited amount of exhibition space is still available, according to Vinay, Penn, conference chairman.

For additional information, call the Maryland Association of Realtors at (410) 941-9080 or (800) 838-9465.



Old-fashioned: Mike Watkins, Kentlands town architect, stands in one of the development's streets, near the town center.

Everything old is new

Community: "The New Urbanism" is an approach to redefining the suburbs, using the best elements of the past.

By LORNA MIRABELLA
SUN STAFF

Just past the suburban homes, shopping strips and fast-food outlets that outnumber the occasional farm, two nondescript brick signs appear to lead to yet another of the sprawling developments that have come to define late 20th-century American life.

But venture off busy Harvestown Road into Kentlands, on 352 acres of hills and valleys 13 miles northwest of Washington. Here, not much feels like suburbia. Driveways are missing. Garages are nowhere in sight. No speed bumps cross streets. Nothing faintly resembles a cul-de-sac.

Instead, narrow, tree-lined streets interconnect, made intimate by homes nestled side by side and close to the street in the manner of a Georgetown or Annapolis. Residents jog or walk dogs along brick walkways, passing wide front porches and pocket-sized lawns with white picket fences.

An elementary school, a day-care center, a church and a lot for a corner store form a public square — no

farther than a quarter-mile from any of the 10th homes. A half-million-dollar house of the kind new to a townhouse and an apartment over a garage in a building. Automobiles — "anti-soviet devices" as Kentlands founders deemed them — have their place, hidden in garages accessible through rear alleys or restricted to on-street parking or to a slow crawl through narrow streets.

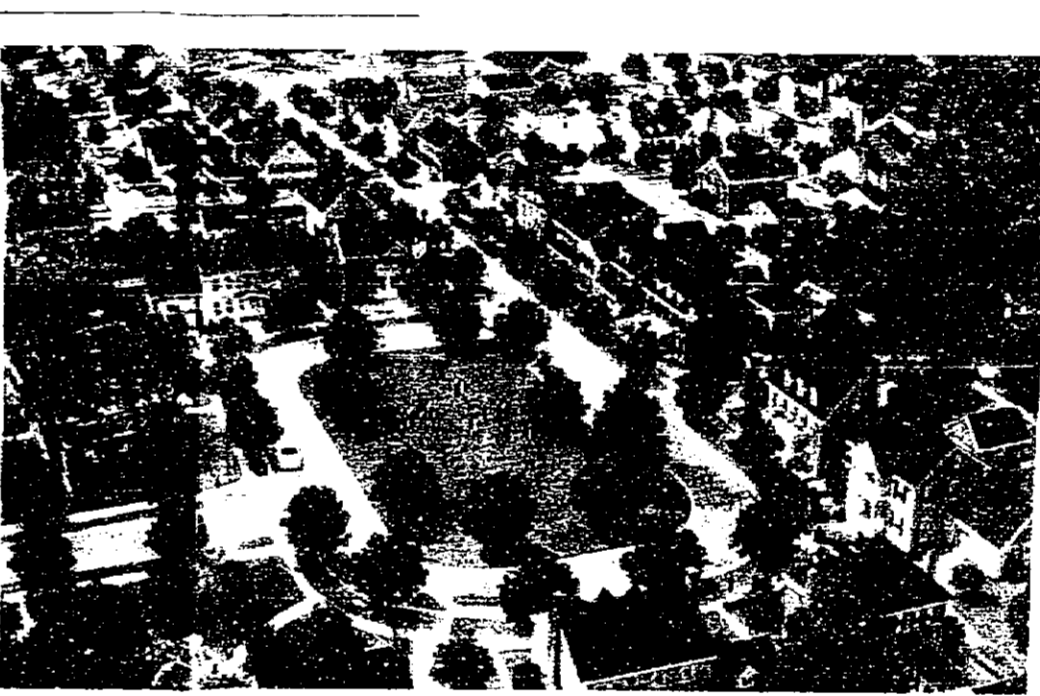
Planning for people instead of cars lies at the heart of "traditional neighborhood development," such as 8-year-old Kentlands, the state's first and best-known community built on the tenets of "New Urbanism."

This back-to-the-future movement is emerging in the design of more and more communities hoping to reinvent the suburbs using small town planning principles.

To rein in sprawl, new urbanists redraw roads in grids to ease congestion. They mix land uses to encourage walking to public places — schools, public squares, libraries, shops and offices — all designed as visual focal points and gathering spots.

They cluster varying housing types and sizes, so a Victorian home might share a block with a Federal-style house and a cottage.

Over the next 20 years, says one marketing analyst, up to 40 percent of new home developments will likely be built this way. (See 20 Years, 2)



Artist's rendering: Plans for the Terra Maria development have houses fronting a grid with the remains of the college and seminary building at left.

Neighborhood Profile

Howard builder creates a 'village'

\$1 million invested in lush landscaping enhances community

By SHERRY CHAM
SPECIAL TO THE SUN

Take a leisurely drive through Wood and Village in Ellicott City, a 13-year-old community to appreciate its charm.

Indeed, the sense is that of a friendly village as groups of townhouses and condominiums, also referred to as gardenhomes, are tucked cozily among hundreds of trees and bushes.

The landscape plan employed in Woodland Village is so unusual that Chesapeake Builders won the 1995 Project of the Year award presented by the Land Development Council of the Homebuilders Association of Maryland.

The entire community is swaddled in green, with plantings of red maple, white ash, pin oak, evergreens, flowering bushes and perennials.

With the most recent plants installed in the final phase of the village, the price tag on the landscaping reached \$1 million.

Arnold considers it money well spent. "The beauty of the village is in the landscaping," he says.

"We developed a very unique land plan for this project," said Arnold, whose firm was the ninth most active builder by sales of new homes last year in Howard County.

"We were very aware of trying to create a real village feeling throughout the community."

Woodland Village is a 130-acre development in Ellicott City, Md., near the town center. It is a mix of townhouses and condominiums.

The landscape plan employed in Woodland Village is so unusual that Chesapeake Builders won the 1995 Project of the Year award presented by the Land Development Council of the Homebuilders Association of Maryland.

The entire community is swaddled in green, with plantings of red maple, white ash, pin oak, evergreens, flowering bushes and perennials.

With the most recent plants installed in the final phase of the village, the price tag on the landscaping reached \$1 million.

Arnold considers it money well spent. "The beauty of the village is in the landscaping," he says.

Desire to own is very strong

91% would drive a cheaper car in order to buy a home

Fannie Mae survey

1,857 interviewed; many say the process has gotten harder

By DANIEL H. BARKIN
SUN STAFF

This is how important it is to Americans to own their own home, according to the latest Fannie Mae survey.

Ninety-one percent would drive a cheaper car if that made the difference between being able to own and renting, up from 81 percent in 1992.

Eighty-one percent would commute a longer distance to work, if cheaper prices further out made ownership possible, up from 65 percent four years ago.

Sixty-seven percent would put off retirement for 10 years, up from 59 percent in 1992.

Americans have an even stronger desire for homeownership today than we found in 1992, said James A. Johnson, chairman and chief executive officer of Fannie Mae, in releasing the 1996 survey results.

The survey, in which 1,857 people were interviewed nationwide in April, is the latest in an annual series conducted by Fannie Mae since 1992. Fannie Mae, the Federal National Mortgage Association, purchases mortgages made by lenders. Twelve in

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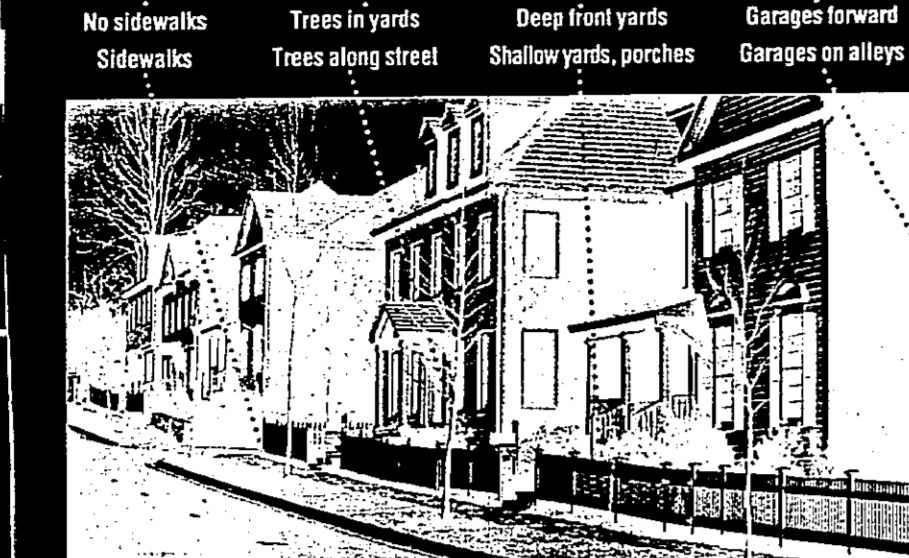
ten years, twelve in

Date of Photos: April 13, 1996



Designs that differ

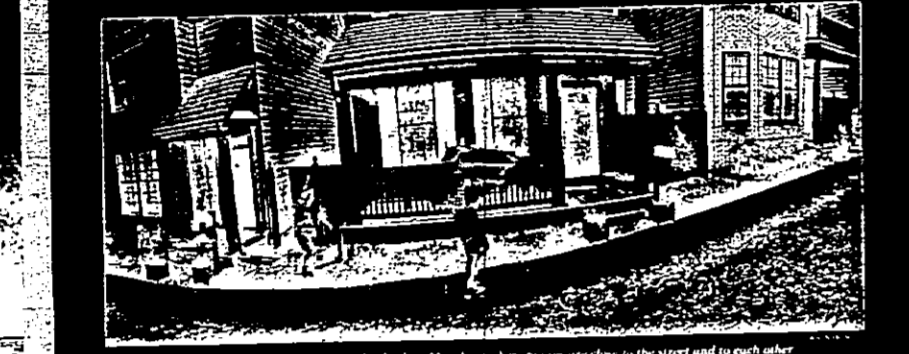
Suburban vs. neotraditional



CONSUMER REPORTS MAY 1996

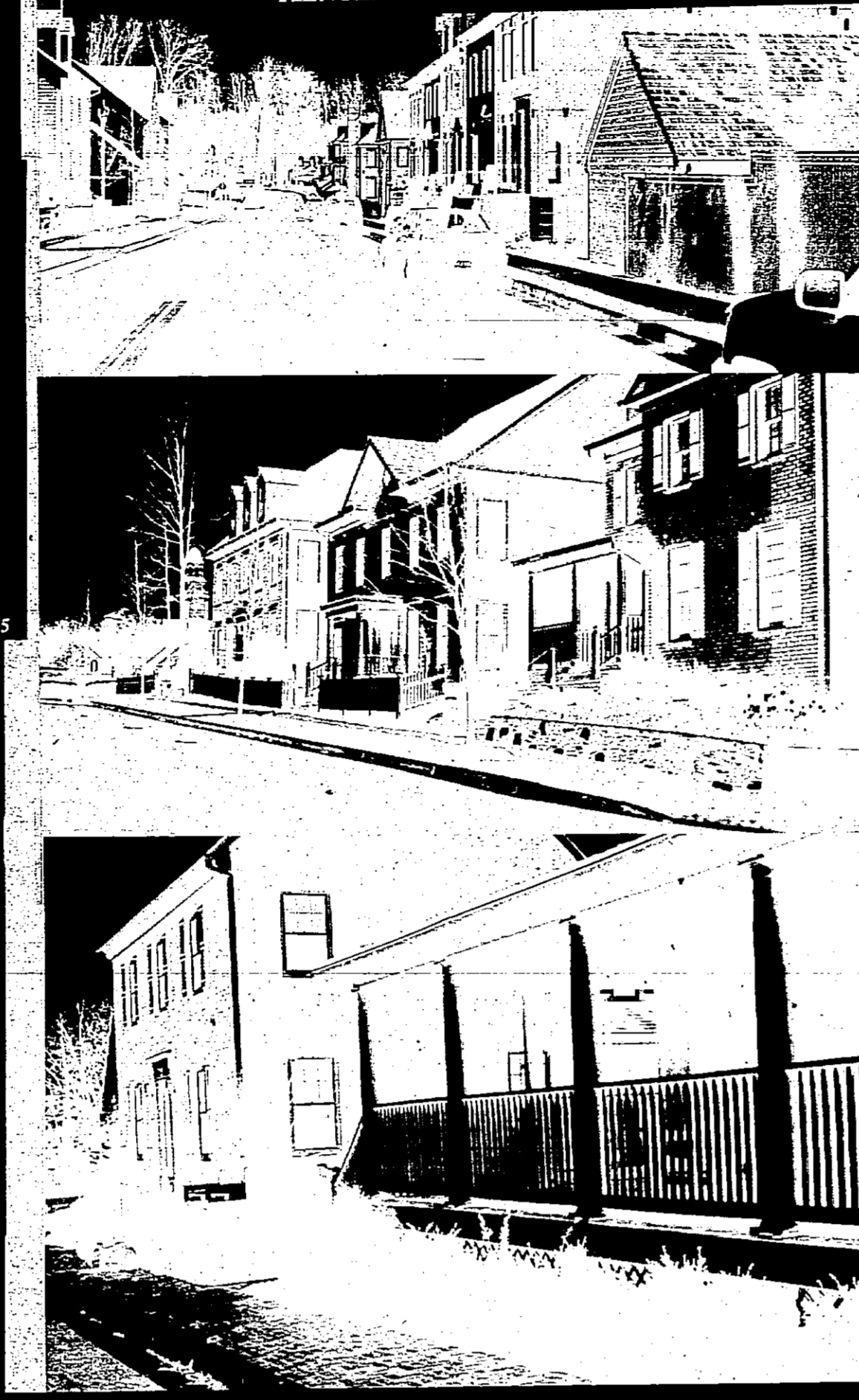
15 Ways to Fix the Suburbs

Most of us actually know what we want in a neighborhood—we just don't know how to get it, because developers have been building the wrong thing for 30 years. Here's how to get our communities back on track.



First, stop building the neotraditional suburbs. Most of us actually know what we want in a neighborhood—we just don't know how to get it, because developers have been building the wrong thing for 30 years. Here's how to get our communities back on track.

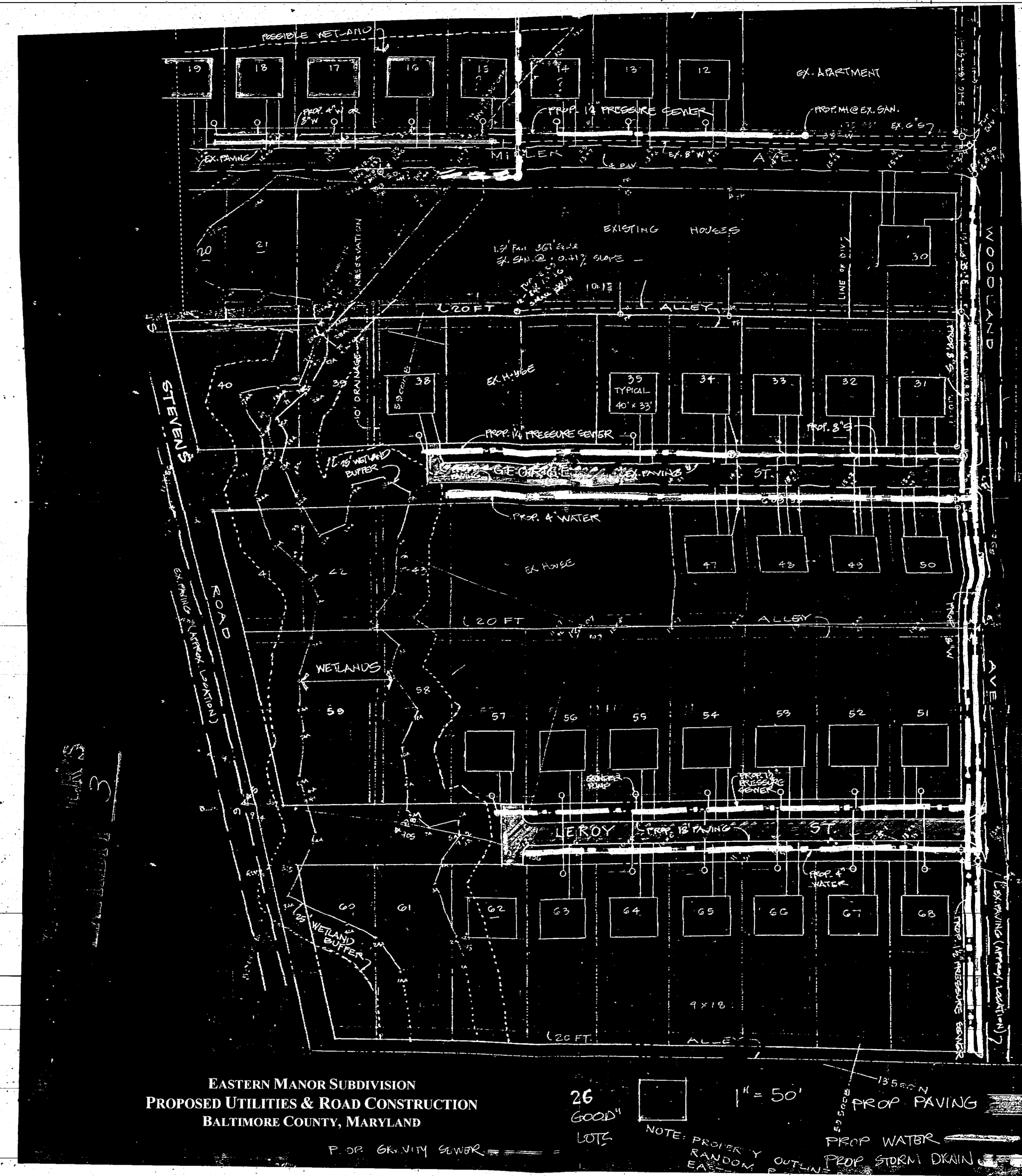
EASTERN MANOR SUBDIVISION VARIANCE REQUEST SETBACK SAMPLE KENTLANDS - GAITHERSBURG, MARYLAND

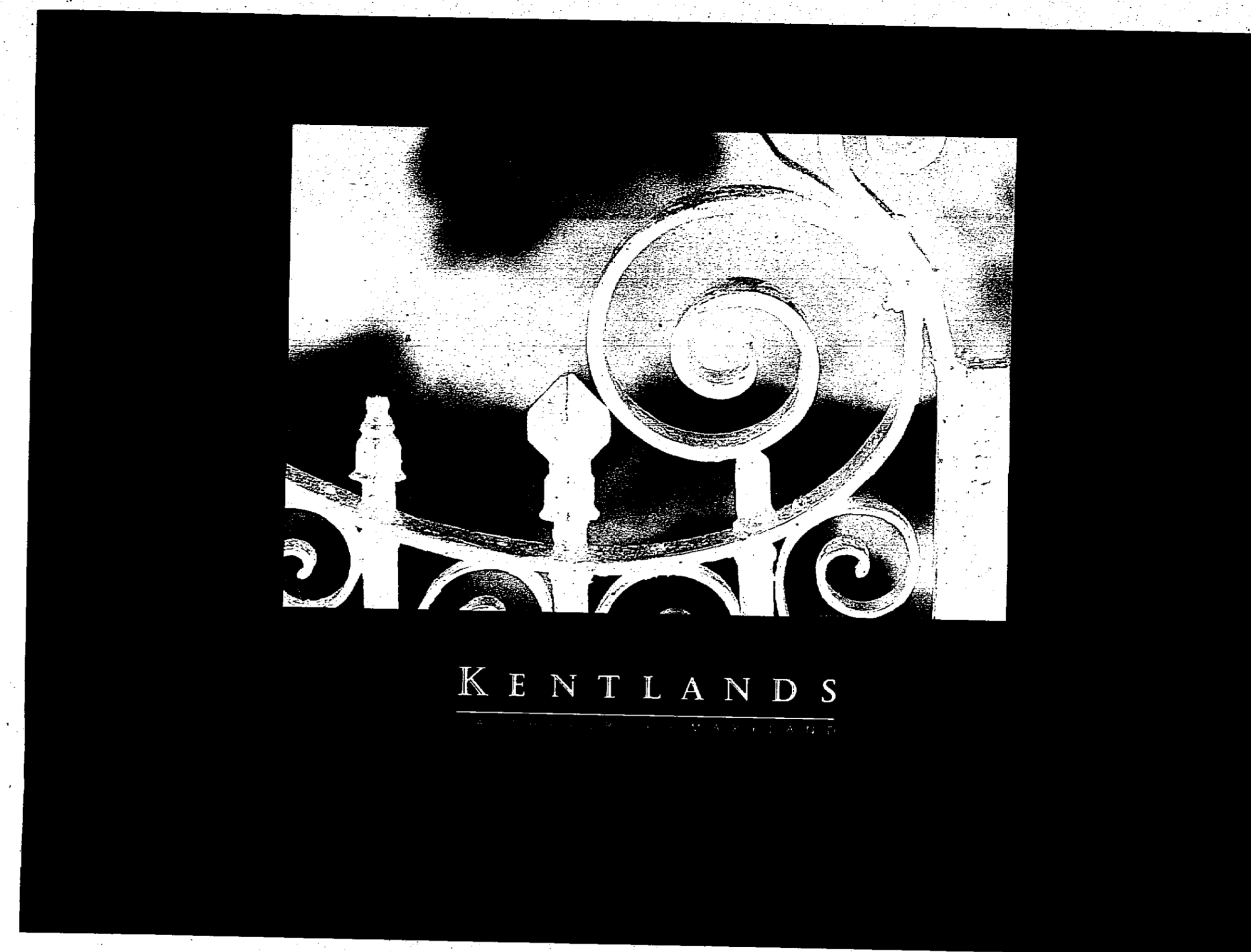
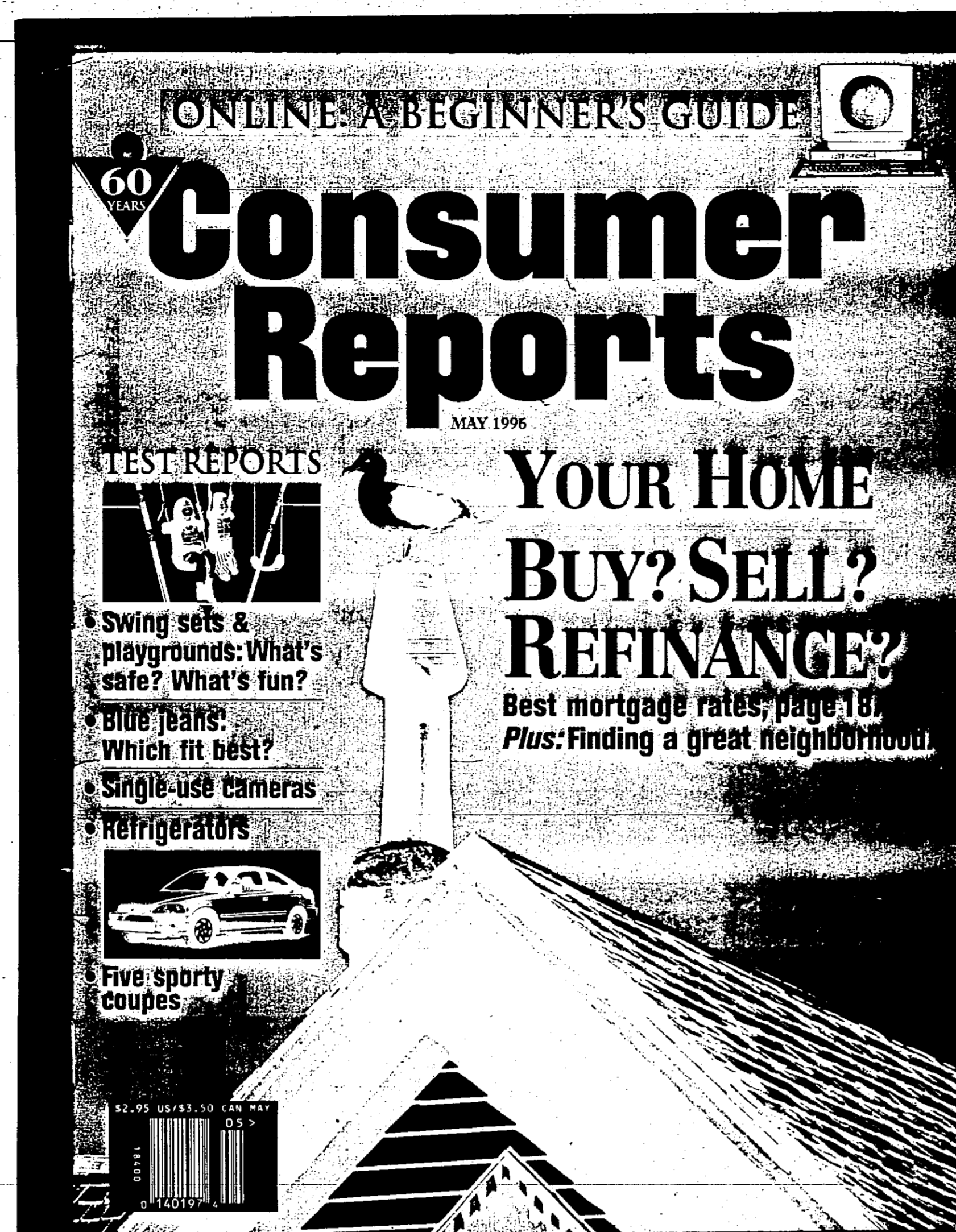
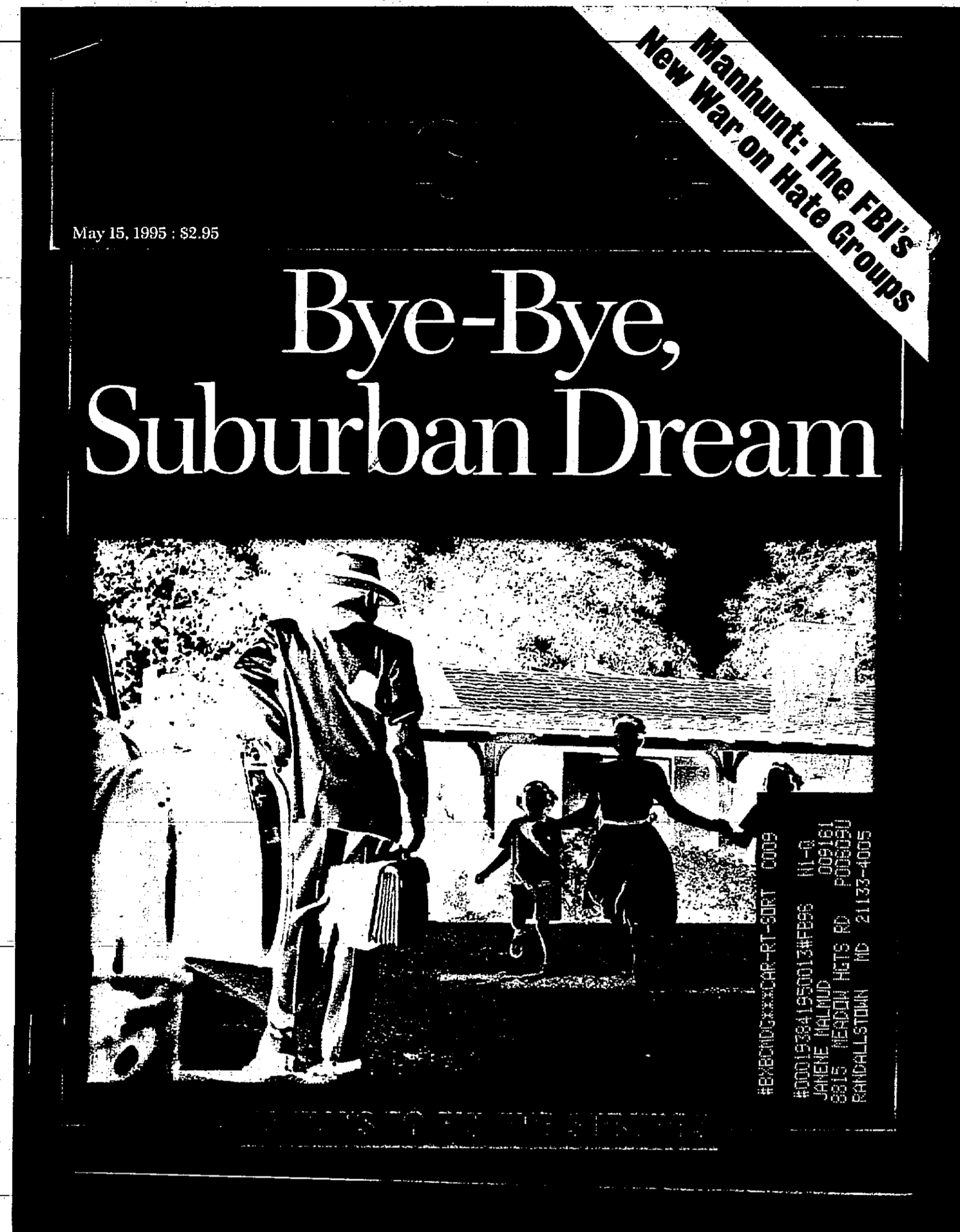


Date of Photos: May 6, 1996



EASTERN MANOR SUBDIVISION VARIANCE REQUEST SITE PHOTOS - EXISTING CONDITIONS BALTIMORE COUNTY, MARYLAND





KENTLANDS

SINGLE FAMILY, TOWNHOMES AND APARTMENTS
BUILDER INFORMATION & PRODUCT BASE PRICES
(REVISED MARCH 4, 1996)

SINGLE FAMILY

CHURCHILL GROUP
Phone: (301) 216-0252
\$264,900 - \$500,000
Sales Office Hours:
Monday - Sunday
10:00a.m. - 6:00p.m.

DOW HOMES, INC.
Phone: (301) 670-1885
\$265,000 - \$1,000,000
Sales Office Hours:
Monday - Sunday
11:00a.m. - 5:00p.m.

ROCKY GORGE COMMUNITIES
Phone: (301) 948-4774
\$274,900 - \$500,000
Sales Office Hours:
Monday - Tuesday & Friday - Sunday
11:00a.m. - 5:00p.m.
Wednesday - Thursday
12:00p.m. - 5:00p.m.

PARKWOOD HOMES
Phone: (301) 921-9361
\$228,900 - \$550,000
Sales Office Hours:
Monday - Sunday
11:00a.m. - 5:00p.m.

TOWNHOMES

ROCKY GORGE COMMUNITIES
Phone: (301) 948-4774
\$219,900 - \$252,000
Sales Office Hours:

Monday - Tuesday 11:00a.m. - 5:00p.m.
Wednesday - Thursday 12:00p.m. - 5:00p.m.
Friday - Sunday 11:00a.m. - 5:00p.m.

APARTMENTS

BOZZUTO & ASSOCIATES
BEACON PLACE
Phone: (301) 590-9240
\$775 - \$1,300/MONTH
Sales Office Hours:

Monday - Friday 9:00a.m. - 6:00p.m.
Saturday 10:00a.m. - 6:00p.m. Sunday 12:00p.m. - 6:00p.m.

VISITOR CENTER

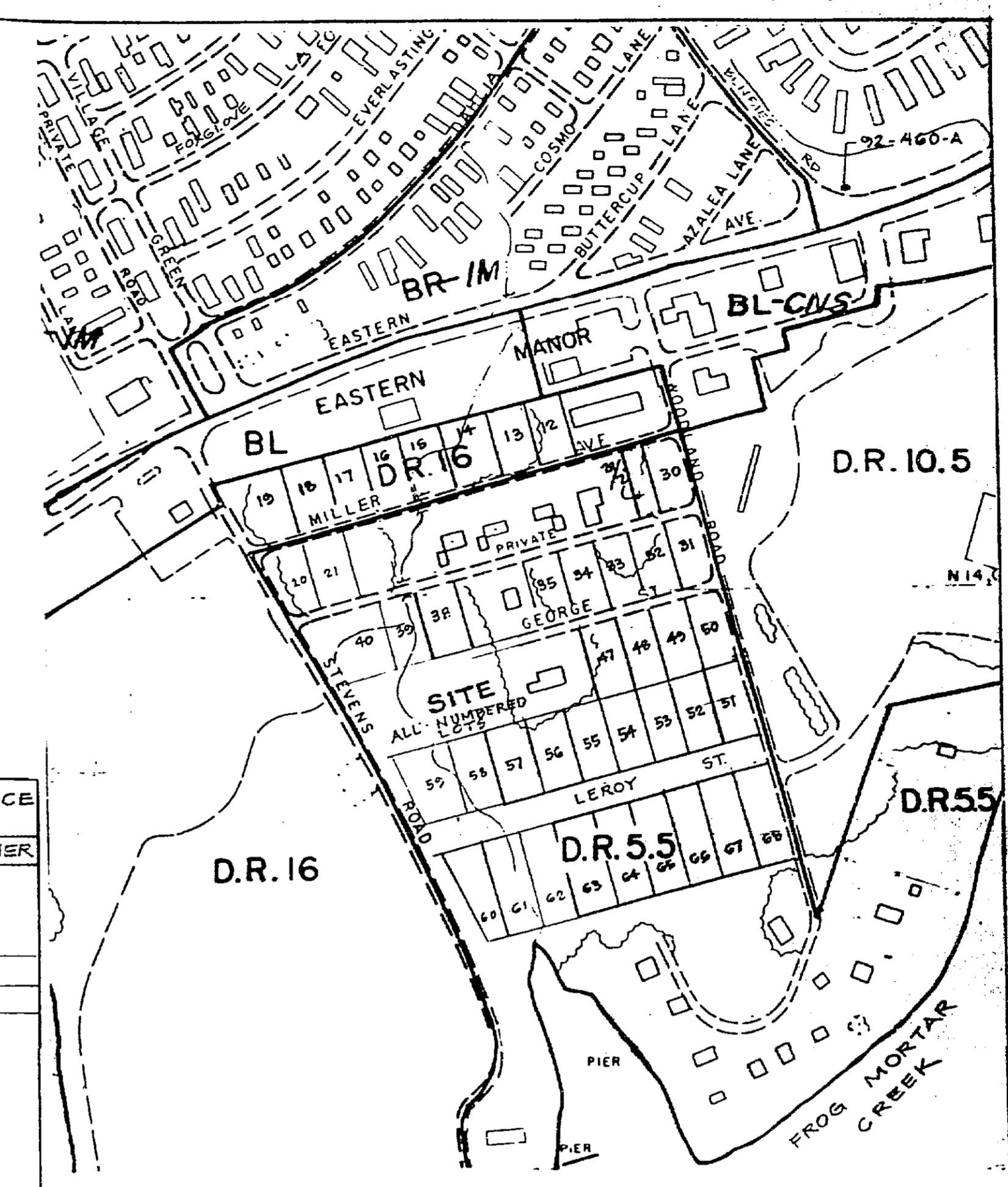
Phone: (301) 948-8353
Hours: Monday - Friday 11:00a.m. - 5:00p.m. & Saturday - Sunday 10:30a.m. - 5:00p.m.

* PRICES SUBJECT TO CHANGE WITHOUT NOTICE *



TABLE OF SETBACK VARIANCE REQUEST

LOT NO	FRONT	STREET CORNER
12	0-12'	N/A
13		
14		
28 & 30		5'-15'
31		5'-15'
32		N/A
33		
34		
35	0 to 12'	
36		
47		
48		
49		
50		5'-15'
51		5'-15'
52		N/A
53		
54		
55		
56		
57		
63		
64		
65		
66		
67		5'-15'
68		



ZONING & VICINITY MAP
Scale: 1" = 200'

NOTES

- PETITIONER: DANIEL C. BEVANS SR. & BARBARA A. BEVANS
OWNER: SAME
DEED REFERENCE: LIBER 967, FOLIO 87
TAX MAP 91, GRID 8, PARCEL 263
ACCOUNT No. 15 1613400822, ETC.
LOTS SHOWN ON SUBDIVISION PLAT OF EASTERN MANOR PB 14/22
- EXISTING ZONING: D.R. 16 & D.R. 5.5
- EXISTING USE: 44 & 1/2 UNIMPROVED RECORDED LOTS OWNED BY THE PETITIONER THAT LIE WITHIN AN ENVIRONMENTALLY SENSITIVE AREA.
- PROPOSED USE: SINGLE FAMILY HOMES TO BE CONSTRUCTED ON THE LOTS THAT ARE APPROVED BY GOVERNMENT REGULATORY AGENCIES.
- VARIANCE REQUESTED FOR A FRONT YARD SETBACK BETWEEN ZERO AND 12 FEET IN LIEU OF REQUIRED 25 FEET AND A STREET CORNER SETBACK BETWEEN 5 FEET AND 15 FEET.
- THE PURPOSE OF THIS VARIANCE REQUEST IS TO LIMIT THE REMOVAL OF EXISTING TREES AND LIMIT SOIL DISTURBANCE TO AN ABSOLUTE MINIMUM. THIS WOULD BE ACCOMPLISHED BY GRANTING THE REQUEST DESCRIBED ABOVE. THIS REQUEST HAS THE SUPPORT OF THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- PUBLIC WATER AND SEWER WILL BE PROVIDED TO THE APPROVED LOTS.
- A ROAD CLOSING REQUEST WILL BE MADE FOR THE ENVIRONMENTALLY RESTRICTIVE PORTIONS OF GEORGE STREET AND LEROY STREET.

PLAT TO ACCOMPANY A REQUEST FOR A
VARIANCE FOR CERTAIN LOTS IN THE
EASTERN MANOR SUBDIVISION
MILLER AVENUE, GEORGE & LEROY STREETS
ELECTION DISTRICT NO. 15
COUNCILMANIC DISTRICT NO. 5
BALTIMORE COUNTY, MARYLAND



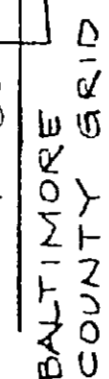
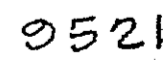
Scale: 1" = 50' April 4, 1996
Prepared by
H. Malmud & Associates, Inc.
100 Church Lane
Baltimore County, Maryland 21208
Telephone (410) 653-9511

97-77-A

#76

THE PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW.
A TITLE REPORT WAS NOT FURNISHED FOR THIS PLAT.

SHORE

SHORE

NOTES

- UNDISTURBED

Scale: 1" = 50'

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100 Church Lane
Baltimore County, Maryland 21208
Telephone (410) 653-9511

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